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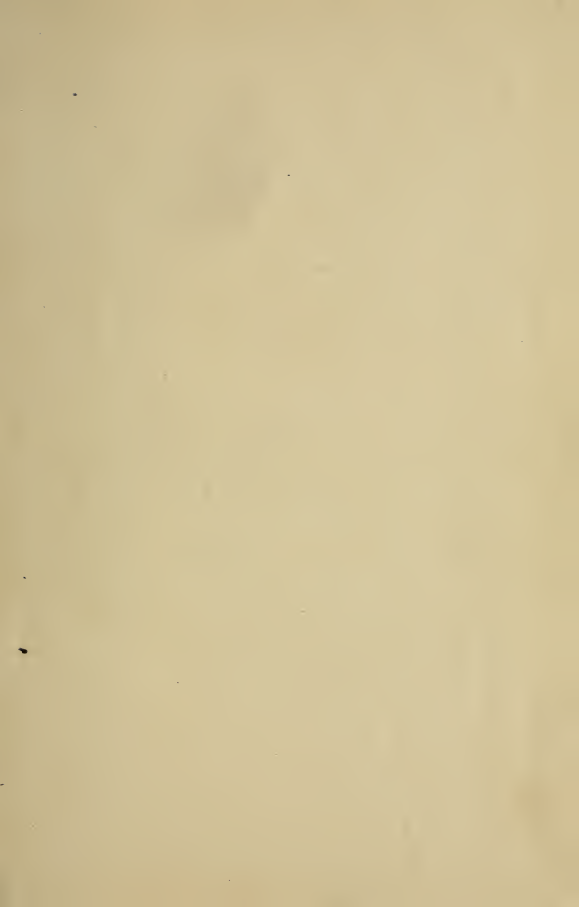


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LAWS

of the

Commonwealth of Massachusetts

Relating to

QUALIFICATION AND REGISTRATION
OF VOTERS.

POLITICAL COMMITTEES.

PRIMARIES AND CAUCUSES.

CONVENTIONS AND THE
NOMINATION OF CANDIDATES.

WITH AN APPENDIX

Containing Information Relative to
ELECTION DISTRICTS, NATURALIZATION, ETC.

1913

Compiled by

RICHARD L. GAY

6 Beacon Street, Boston

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1913

1913

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This Compilation gives either in full or in abstract all the Election Laws of Massachusetts as codified in 1913. It covers all the provisions of law now in force relating to qualifications, assessment and registration of voters, political committees, caucuses and primaries, conventions, nomination papers, and the filing of papers necessary to insure the placing of a candidate's name on the official ballot for use at elections.

In the Appendix will be found an abstract of so much of the Federal naturalization law as will be of interest to applicants for naturalization, a list of the election districts of Massachusetts, and political calendars relating to State and City elections for the current year.

The compiler is indebted to Arthur P. Gay, Esq., of the Boston Bar for editorial assistance, and to William Nelson, Esq., Deputy Clerk of the United States District Court, and James Farrell, Esq., Chief United States Naturalization Examiner, for valuable suggestions in preparing the matter on naturalization.

TERMS DEFINED.

Chapter 835.

An Act to Codify the Laws Relative to Primaries, Caucuses and Elections.

GENERAL PROVISIONS.

Definition of Terms.

Section 1. Terms used in this chapter and in statutes relative to primaries, caucuses or elections shall be construed as follows, unless other meaning is clearly apparent from language or context, or unless such construction is inconsistent with the manifest intent of the legislature:

“Aldermen” shall include the boards or officials having the powers of aldermen in a city which does not have a board of aldermen.

“Assessors” shall mean the assessors of taxes of a city or town.

“Caucus” shall apply to any public meeting of the voters of a precinct, ward, or town, held under the provisions of this act relating to caucuses.

“Caucus officers” shall apply to chairmen, wardens, secretaries, clerks, and inspectors, and, when on duty, to additional officers appointed or elected, or elected to fill a vacancy, and taking part in the conduct of caucuses.

“City election” shall apply to any election held in a city for the choice of a city officer by the voters whether for a full term or for the filling of a vacancy.

“City officer” shall apply to any person to be chosen by the voters at a city election.

“Convention” shall apply only to a meeting of delegates duly chosen in primaries or caucuses, representing two or more subdivisions of the district for which the convention is held.

“Election” shall apply to the taking of a vote upon a proposed amendment to the constitution; upon the question of

TERMS DEFINED.

granting licenses for the sale of intoxicating liquors; and upon any other question by law submitted to the voters.

"Election officer" shall apply to wardens, clerks, inspectors and ballot clerks, and to their deputies when on duty, and also to selectmen, town clerks, moderators and tellers when taking part in the conduct of elections.

"Elective office" shall apply to any office to be filled by the voters at any state, city or town election.

"Municipal party" shall apply to a party other than a political party which at the preceding city or town election polled for mayor or a selectman at least three per cent. of the entire vote cast in the city or town for that office or, in a city, which files with the city clerk, at least sixty days before the annual municipal election, a petition to be allowed to place nominations of such party on the official ballot, which petition is signed in person by a number of registered voters of the city equal to at least three per cent. of the entire vote polled in the city for mayor at the preceding election, and so far as municipal elections are concerned, such a party shall also be deemed a political party within the meaning of this chapter; but the term "municipal party" shall be used only with reference to primaries or caucuses for the nomination of city or town officers.

"Official ballot" shall mean a ballot prepared for any primary, caucus or election by public authority and at public expense.

"Political committee," under the provisions of this act relative to corrupt practices, shall apply to every committee or combination of three or more persons who shall aid or promote the success or defeat of a political party or principle in a public election, or shall aid or take part in the nomination, election or defeat of a candidate for public office. The term "Political committee" otherwise shall apply only to a committee elected in pursuance of this act.

"Political convention" shall apply only to a convention called and held in pursuance of this act.

TERMS DEFINED.

"Political party" shall apply to a party which at the preceding annual state election polled for governor at least three per cent. of the entire vote cast in the commonwealth for that office, but when a candidate for governor receives two or more nominations for that office, "political party" shall for the purpose of determining the status of the parties making such nominations be defined as a political party which at the preceding primary held for the nomination of candidates for state offices nominated such candidate and polled for nomination for governor at least three per cent. of the entire vote cast in said primary in the commonwealth for nomination for that office.

"Polling place" shall apply to a room or place provided by a city or town for a primary, caucus or election.

"Presiding officer" shall apply to the warden or chairman at a caucus, to the warden, chairman of the selectmen, moderator, moderator pro tempore or town clerk in charge of a polling place at a primary or election, or to a justice of the peace acting as moderator at a town meeting; or, in the absence of any such officer, to the deputy warden or the clerk or senior inspector or senior selectmen present who shall have charge of a polling place.

"Primary" shall apply to a joint meeting of political or municipal parties held under the provisions of this act relating to primaries.

"Primary officers" shall apply to all election officers when taking part in the conduct of primaries.

"Registrars" shall mean the board of registrars of voters of a city or town or the board of election commissioners of the city of Boston, when applicable.

"State election" shall apply to any election held for the choice of a national, state, district or county officer by the voters, whether for a full term or for the filling of a vacancy.

"State officer" shall apply to any person to be chosen at a state election.

"Town election" shall apply to any meeting held for the

election of town officers by the voters, whether for a full term or for the filling of a vacancy.

"Town elections or meetings at which official ballots are used" shall be construed to mean town elections or meetings in towns to which section four hundred and thirty-two applies.

"Town officer" shall apply to any person to be chosen at a town meeting.

"Two leading political parties" shall apply to the political parties which elect the highest and next highest number of members of the general court at the preceding annual state election.

"Voter" shall mean a registered male voter.

Result of Elections—How Determined.

Section 2. In all elections of civil officers by the people, the person receiving the highest number of votes for an office shall be deemed and declared to be elected to such office; and if two or more persons are to be elected to the same office, the several persons, to the number to be chosen to such office, receiving the highest number of votes, shall be deemed and declared to be elected; but persons receiving the same number of votes shall not be deemed to be elected if thereby a greater number would be elected than are by law to be chosen.

Section 3. All elections in cities which by charter or statute are to be held on a Monday, shall be held on the Tuesday next succeeding such Monday.

Sundays and Holidays.

Section 4. In computing the period of time prescribed in any statute relating to primaries, caucuses or elections, Sundays and holidays shall generally be included; but when the last day of such period falls on a Sunday or on a holiday the succeeding day shall be considered the final day of such period; and when the first day of such period falls on a Sunday or on a holiday, the day preceding shall be considered the first day of the period. Whenever the day of the week

designated for a primary, caucus or election falls upon a holiday, said primary, caucus or election shall be held on the day succeeding said holiday.

Section 5. Provides that employees shall be allowed time for voting.

Section 6. Prohibits the sale of intoxicating liquors on election days.

Section 7. Provides for posting lists, notices and copies of laws relating to elections.

Election Commissioners in Boston.

Section 8. All the powers and duties relating to primaries or elections by law vested in and imposed upon the mayor and aldermen or either of them, the city clerk or the board of registrars of voters in cities, excepting the power and duty of giving notice of elections, and fixing the days and hours of holding the same, shall, in the city of Boston, be vested in and performed by the board of election commissioners of said city, who shall be subject to all penalties prescribed for failure to perform the said duties.

Section 9. The board of aldermen of a city, in Boston the election commissioners, or the selectmen of a town, may make regulations not inconsistent with the provisions of this act relative to the use of ballot boxes and seals, counting and other apparatus, the receiving of ballots and the counting and returning of votes.

Criminal Prosecutions.

Section 10. If, in a criminal prosecution for the violation of any law relating to the assessment, qualification or registration of voters, or to voting lists or ballots or matters pertaining thereto, the defendant relies upon the invalidity, informality or irregularity of such assessment, qualification or registration, or of such voting lists or ballots, or matters pertaining thereto, he shall prove such invalidity, irregularity, or informality; and until such proof, the presumption shall be that such assessment, qualification or registration, or such

voting lists or ballots or matters pertaining thereto, are valid, formal and regular, and in accordance with law; but the validity, regularity or formality of such assessment, qualification or registration of voters, or of such voting lists or ballots, or matters pertaining thereto, may be proved in any other legal manner.

Section 11. If, in a criminal prosecution for the violation of any law relating to primaries, caucuses or elections or matters pertaining thereto, the defendant relies upon the invalidity, irregularity or informality of any primary, caucus or election, or upon the failure or neglect of any officer or person to do any act in relation to any primary, caucus or election or matters pertaining thereto, he shall prove such invalidity, irregularity, informality, failure or neglect; and until such proof, the presumption shall be that such primary, caucus or election or matters pertaining thereto were valid, regular and formal, and that such officer or person acted as prescribed by law. The testimony of the clerk of the city or town, or in Boston the election commissioners, wherein it is alleged that such election was held, or of the presiding officer, secretary, or clerk of such primary or caucus, that such primary, caucus or election was actually held, shall be prima facie evidence that the same was regularly and duly held, but the validity, regularity or formality of such primary, caucus or election or matters pertaining thereto may also be proved in any other legal manner.

Qualification of Voters.

Section 12. Every male citizen of twenty-one years of age or upwards, not being a pauper or person under guardianship, who is able to read the constitution of the commonwealth in the English language, and to write his name, and who has resided within the commonwealth one year, and within the city or town in which he claims a right to vote, six calendar months last preceding a state, city or town election, may have his name entered upon the list of voters in such city or town, and shall have the right to vote therein in any such

QUALIFICATIONS OF VOTERS.

election or in any meeting held for the transaction of town affairs upon complying with the requirements hereinafter set forth; and, except as above provided, no male person shall have his name entered upon the list of voters or have the right to vote, except that no person who is prevented from reading or writing as aforesaid by a physical disability, or who had the right to vote on the first day of May in the year eighteen hundred and fifty-seven, shall, if otherwise qualified, be deprived of the right to vote by reason of not being able so to read or write; and no person who, having served in the army or navy of the United States in the time of war, has been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of receiving or having received aid from any city or town; and further, no person, otherwise qualified to vote for national or state officers shall, by reason of a change of residence within the commonwealth, be disqualified from voting for such officers in the city or town from which he has removed his residence until the expiration of six calendar months from the time of such removal.

Section 13. Every female citizen having the qualifications of a male voter required by the preceding section may have her name entered upon the list of voters for school committee, and shall have the right to vote for members of the school committee upon complying with the requirements hereinafter set forth.

Section 14. A person qualified to vote in a city or town divided into wards or voting precincts shall be registered and be entitled to vote in the ward or voting precinct in which he resided on the first day of April preceding the election, or if he became an inhabitant of such city or town after such first day of April, in the ward or voting precinct in which he first became a resident.

Assessment of Poll Taxes and Lists of Persons Assessed.

Section 15. The assessors, assistant assessors, or one or more of them, shall annually, in April or May, visit every

building in their respective cities and towns, and, after diligent inquiry, shall make true lists containing, as nearly as they can ascertain, the name, age, occupation and residence, on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every male person twenty years of age or upwards, residing in their respective cities and towns, liable to be assessed for a poll tax; and, except in Boston, shall inquire at the residences of the women voters whose names are contained in the list transmitted to them by the registrars under the provisions of section forty-four whether such women voters are resident thereat, and shall thereupon make true lists of the women voters found by them.

Any inmate of the Soldiers' Home in the city of Chelsea shall have the same right as any other resident of that city to be assessed and to vote therein.

The assessors shall, upon the personal application of an assessed person for the correction of any error in their original lists, and whenever informed of any such error, make due investigation, and, upon proof thereof, correct the same on their books. When informed of the omission of the name of a person who is averred to have lived in the city or town on the first day of April in the current year, and to have been assessed there in the preceding year, they shall make due investigation, and, upon proof thereof, supply the omission on their books, and, except in Boston, give immediate notice thereof to the registrars of voters. They shall cause all applications, certificates and affidavits received by them under this section to be preserved for two years.

Sections 16-18. Relate to the duties of assessors in the preparation and transmission to the registrars of the lists of persons assessed, except in Boston.

Section 19. If a male person resident in a city or town, except Boston, on the first day of April was not assessed for a

poll tax, he shall, in order to establish his right to assessment, present to the assessors before the close of registration a statement under oath that he was on said day a resident of such city or town and liable to pay a poll tax therein, and a list under oath of his polls and estate, and shall also produce before the assessors two witnesses, who shall testify, under oath, that they are voters of the ward or town in which such person desires to be registered and that the statement of the applicant is true.

A male person who becomes a resident of a city or town, except Boston, after the first day of April and desires to be registered as a voter shall present to the assessors a statement under oath that he has been a resident of such city or town for six months immediately preceding the election at which he claims the right to vote, and shall produce before the assessors two witnesses, who shall testify under oath that they are voters of the ward or town in which such person desires to be registered and that the statement of the applicant is true. If the assessors are satisfied that such statement is true, they shall, in the first case, assess such applicant for his polls and estate and give him a certificate of assessment, and in the second, give him a certificate that he has been a resident in such city or town the six months preceding such election, and forthwith notify the registrars of voters of the city or town, if in this commonwealth, where such person resided on the first day of April, that they have given such certificate.

Section 20. The assessors, except in Boston, shall enter the name and residence of each person thus assessed or certified in a book provided for that purpose, and opposite to each name, the names, occupations and residences of the persons who have testified as above provided.

In every place where voters are registered, the registrars, in Boston the election commissioners, and in every place where oaths are administered as required by this act, the assessors, shall post in a conspicuous place a copy of sections

four hundred and sixty and four hundred and sixty-two printed on white paper with black ink, in type not less than one-quarter of an inch wide.

Section 21. The assessors shall hold such day and such evening sessions as shall be necessary to carry out the provisions of the two preceding sections.

Section 22. All assessments made in accordance with section nineteen shall be subject to the provisions of section seventy-four of chapter twelve of the Revised Laws and shall be entered in the tax list of the collector of taxes and be collected by him according to law.

Section 23. Provides for the transmission to registrars of voters of a list of residents recently deceased, and to the election commissioners a list of criminals, paupers and insane, who had a last known residence in Boston.

Sections 24-35. Relate to the appointment and duties of registrars of voters.

Registration of Voters.

Section 36. The registrars shall hold such day and such evening sessions as the town by a by-law or the city by an ordinance shall prescribe, and such other sessions as they deem necessary.

They shall hold at least one session at some suitable and convenient place in every city or town on or before the Saturday last preceding a primary, except a primary preceding a special election, to give an opportunity to qualified voters to register.

In cities, they shall hold a continuous session from twelve o'clock noon until ten o'clock in the evening on the twentieth day preceding the annual state election, and a like continuous session on the twentieth day preceding the annual city election.

In towns, they shall hold a continuous session from twelve o'clock noon until ten o'clock in the evening on the Saturday last but one preceding the annual state election, and a like

continuous session on the Saturday last but one preceding the annual town meeting. In towns divided into voting precincts they shall, not more than twenty days before the annual state election and also not more than twenty days before the annual town meeting, but in each case on or before the last day fixed for registration, hold at least one session at some suitable place within the limits of each voting precinct. In towns not divided into voting precincts, they shall, not more than twenty days before the annual state election and also not more than twenty days before the annual town meeting, but in each case on or before the last day fixed for registration, hold sessions in one or more suitable places. If, in any such town ten or more voters residing in or near a village or locality distant two or more miles from the usual place of registration shall, not less than eighteen days before the annual state election or the annual town meeting, file a petition with the town clerk stating that in such village or locality there are at least ten citizens who are entitled and desire to be registered, the registrars shall hold a session at some suitable place in such village or locality before the last day fixed for registration. The time and place of registration shall be the same for male and female applicants.

Section 37. In every city, registration shall cease at ten o'clock in the evening on the twentieth day preceding the annual state election, and at ten o'clock in the evening on the twentieth day preceding the annual city election. In every town, registration shall cease at ten o'clock in the evening on the Saturday last but one preceding the annual state election, and at ten o'clock in the evening on the Saturday last but one preceding the annual town meeting.

Section 38. The registrars shall, in some suitable place, hold a continuous session from twelve o'clock noon until ten o'clock in the evening, on the fourth day, or in Boston on the seventh day, preceding a special election. Registration shall cease at ten o'clock in the evening of the day on which such session is held.

Section 39. If the final day for registration of voters falls on Sunday or on a holiday, the day preceding such Sunday or holiday shall be the final day for such registration.

Section 40. Any registrar may, at a place appointed for registration, on the days and during the hours designated for the purpose, receive applications for registration and examine applicants and witnesses under oath; but all doings of one registrar shall be subject to the revision and acceptance of the board.

Section 41. The registrars shall not, after ten o'clock in the evening of a day on which registration is to cease, register any person as a voter until after the next election, but they may enter or correct upon the registers the names of persons whose qualifications as voters have been examined between the preceding thirtieth day of April and the close of registration, and except in Boston they shall compare all notices of omitted assessments transmitted to them by the assessors under the provisions of section fifteen, with the annual register of voters for the previous year, and if it appears to their satisfaction that any of said omitted assessments is that of a person entitled to vote in such previous year they may before the close of registration enter such name on the current annual register. They shall, in every case, require the vote by virtue of which such entry or correction is made to be attested by their clerk.

Section 42. They shall post or publish notices stating the places and hours for holding all sessions, the final sessions preceding any election, and that after ten o'clock in the evening of the last day fixed for registration they will not, until after the next election, add any name to the registers except the names of voters examined as to their qualifications between the preceding thirteenth day of April and the close of registration.

Sections 43-44. Provide for keeping records of voters and the preparation of annual registers.

Section 45. Every person, male or female, whose name has not been entered in the annual register in accordance with the preceding section, or section forty-one must, in order to be registered as a voter, apply in person for registration and prove that he is qualified to register.

Section 46. Every male applicant for registration, except in Boston, whose name has not been transmitted to the registrars as provided in section sixteen shall present a tax bill or notice from the collector of taxes, or a certificate from the assessors showing that he was assessed as a resident of the city or town on the preceding first day of April, or a certificate that he became a resident therein at least six months preceding the election at which he claims the right to vote, and the same shall be prima facie evidence of his residence. In Boston every such applicant whose name has not been transmitted to the election commissioners as provided by law shall present a certificate from the listing board as provided by law, and the same shall be prima facie evidence of his residence.

Section 47. The registrars shall examine under oath an applicant for registration relative to his qualification as a voter, and shall, unless he is prevented by physical disability, or unless he had the right to vote on the first day of May in the year eighteen hundred and fifty-seven, require him to write his name in the general register and to read in such manner as to show that he is neither prompted nor reciting from memory. Registrars shall be provided by the secretary of the commonwealth with a copy of the constitution of the commonwealth printed on uniform pasteboard slips, each containing five lines of said constitution printed in double small pica type. The registrars shall place said slips in the box provided by the secretary of the commonwealth, which shall be so constructed as to conceal them from view. Each applicant shall be required to draw one of said slips from the box and read aloud the five lines printed thereon, in full view and hearing of the registrars. Each slip shall be returned

to the box immediately after the test is finished, and the contents of the box shall be shaken up by a registrar before another drawing is made. No person failing to read the constitution as printed on the slip thus drawn shall be registered as a voter. The registrars shall keep said slips in said box at all times. The secretary of the commonwealth shall upon request provide new slips to replace those worn out or lost.

Section 48. If an applicant for registration is a naturalized citizen, the registrars shall require him to produce for inspection his papers of naturalization, and to make oath that he is the identical person named therein, and shall, if satisfied that the applicant has been legally naturalized, make upon his papers a memorandum of the date of such inspection. If papers of naturalization have once been examined and record thereof made in the general register, the registrars need not again require their production.

Section 49. If, upon examination, the registrars are satisfied that an applicant for registration has all the qualifications of a voter, except that of age, and that he will on or before the day of next election or town meeting, attain full age, they shall place his name upon the registers.

Section 50. If the registrars decline to register the name of a person examined for registration and reported to them therefor by a registrar, they shall notify him of their refusal, and give him a reasonable opportunity to be heard by them upon his application. They shall upon the rejection of an applicant forthwith inform him of such rejection.

Section 51. The registrars shall, from time to time, revise and correct the general register and the current annual register in accordance with any facts which may be presented to them. They shall strike therefrom the name of every deceased person which has been transmitted to them by the city or town clerk or the registrar of deaths in accordance with section twenty-three; but after the name of a voter has been placed upon the current annual register, they

shall not change the place of residence as given thereon, nor, unless the voter has deceased, strike such name therefrom, until they have sent him a notice of their intention so to do and that he may be heard on a certain day named therein.

Section 52. If a registered voter complains to the registrars or election commissioners, in writing under oath in a city fourteen days at least, or in a town four days at least, before an election or town meeting, that the complainant has reason to believe and does believe that a certain person by him therein named has been illegally or incorrectly registered, and setting forth the reasons for such belief, the registrars or election commissioners shall examine into such complaint, and if satisfied that there is sufficient ground therefor, they shall summon the person complained of to appear before them at a certain place and time before the next election or town meeting to answer to the matters set forth in the complaint, and the substance of the complaint and a copy of this and the following section shall be set forth in the summons. Service of the summons shall be made by an officer qualified to serve civil or criminal process, not more than fourteen nor less than two days before the day named for appearance, by delivering in hand a copy of the summons to the person therein summoned, or by leaving it at the place of alleged illegal or incorrect registration, if no later residence of such person appears on the register, and in that event at such later residence if the officer finds that such person resides at such place or later residence, as the case may be, or if he was formerly there and has changed his residence, then by leaving it at the place to which he has moved, if it is within the officer's jurisdiction and can be ascertained by inquiry at such place or later residence; but if the officer cannot make personal service, and cannot ascertain the residence of the person complained of, the copy of the summons shall be left at such person's last residence, if any, known to the officer within his jurisdiction; and the officer shall return the summons to the registrars or election

commissioners before the day named for appearance, with the certificate of his doings indorsed thereon.

Section 53. If a person summoned before the registrars or election commissioners to answer to such complaint appears before them, they shall examine him under oath, and shall receive other evidence which may be offered in regard to the matters set forth in the complaint, and if satisfied that he is properly registered as a qualified voter they shall enter in the register a statement of their determination upon the facts required for registration. If the registrars or election commissioners are satisfied that he is not a qualified voter in the city or town, they shall strike his name from the register. If they are satisfied that, although he is a qualified voter in the city or town, he is illegally or incorrectly registered in a ward or voting precinct other than the ward or voting precinct in which he is required to be registered as provided in section fourteen, and are satisfied as to which ward or voting precinct he is so required to be registered in, and as to his place of residence in such ward or voting precinct, they shall change his place of residence as given on the register accordingly. If a person duly summoned as aforesaid does not appear as directed in the summons, the complainant shall produce sufficient testimony to make out a prima facie case, and if this is done the name of the person complained of shall be stricken from the register; but if such person appears before the registrars or election commissioners before the election or town meeting next ensuing and shows sufficient cause for his failure earlier to appear, the hearing shall be reopened and the matter decided on its merits, as determined from the evidence presented on both sides. The complainant and the person complained of may be represented by counsel, and all witnesses may be cross-examined.

Section 54. The registrars shall promptly transmit to the assessors of the city or town notice of every error which they shall discover in the name or residence of a person assessed

therein. The provisions of this section shall not apply to Boston.

Section 55. The registrars or election commissioners shall perform their duties in open session, and not secretly. They shall distinctly announce the name of every applicant for registration before entering his name on the general register. Their records shall at suitable times be open to public inspection.

Section 56. All written complaints and certificates received by the registrars, or election commissioners, and all other documents in their custody relative to registration, shall be preserved by them for two years after the respective dates thereof.

Section 57. A registrar or election commissioner shall have authority to enforce regularity in all proceedings before him, and to maintain order in and about the place where a session is held, or applications for registration are received, and to keep the access thereto open and unobstructed.

Section 58. The board of police or officer in charge of the police force of a city or town shall, when requested by the registrars or election commissioners, detail a sufficient number of police officers to attend any meeting held by a registrar in the performance of his duties, and to preserve order and enforce his directions.

Section 59. The governor, with the advice and consent of the council, shall, on the petition of not less than ten qualified voters of a city or town, appoint for a term of one year, two supervisors of registration for each place of registration therein, one from each of the two leading political parties. They shall attend all sessions or meetings for registration held at the places for which they are appointed, and either of them may attach to any book or papers there used for purposes of registration any statement touching the truth or fairness of his proceedings which he may deem proper, and may add thereto his signature or other marks for the purpose of identification.

Sections 60-66, 68. Relate to the preparation of voting lists.

Voting Lists for Use at Caucuses.

Section 67. When a caucus is called the registrars shall, on request of the chairman of the ward or town committee of the party whose caucus is to be held or of the person designated to call the caucus to order, furnish him for use in the caucus a certified copy of the voting list of the town, or of the ward of the city for which the caucus is to be held, as last published, adding thereto the names of voters registered since such publication.

Listing Board in Boston.

Section 69. In Boston there shall be a listing board composed of the police commissioner of said city and one member of the board of election commissioners, who shall annually be appointed by the mayor, without confirmation by the board of aldermen, for the term of one year and who shall belong to that one of the two leading political parties of which said police commissioner is not a member. In case of disagreement between the two members of said board, the chief justice of the municipal court of the city of Boston or, in case of his disability, the senior justice of said court who is not disabled, shall for the purpose of settling such disagreement, be a member of said board and shall preside and cast the deciding vote, in case of a tie.

Sections 70-72. Relate to the duties of the listing board in listing of voters, etc.

Listing and Registration of Voters in Boston.

Section 73. If a male person, twenty years of age or upwards, resident in Boston on the first day of April, was not listed by the board, he shall, in order to establish his right to be listed, appear before a member of the board, the superintendent, a deputy superintendent or an inspector of police, who are hereby authorized to administer oaths for this pur-

pose, and present under oath a statement in writing that he was on said day a resident of said city, giving his name, age, occupation and residence on the first day of April in the current year, and his residence on the first day of April in the preceding year.

A male person, twenty years of age or upwards, who becomes a resident of said city after the first day of April, and desires to be listed, shall appear before a member of the board, the superintendent, a deputy superintendent or an inspector of police, who are hereby authorized to administer oaths for this purpose, and present under oath a statement in writing that he became a resident of said city at least six months immediately preceding the election at which he claims the right to vote, giving his name, age, occupation and residence on the above date, and his residence on the first day of April in the preceding year.

If the board, after investigation, is satisfied that such statements are true, it shall give such applicant a certificate that he was a resident of said city on said first day of April, or a certificate that he became a resident at least six months immediately preceding such election, as the case may be, which certificate shall state his name, age, occupation and residence on the first day of April in the current year or on the above date, as the case may be, and his residence on the first day of April in the preceding year; but no such application shall be received later than the thirtieth day preceding a state or municipal election, and no such person shall be listed or be given such certificate later than the twenty-first day preceding such state or municipal election. The board shall not after the last day for making such application before a state election receive an application until after such election.

In every place where oaths are administered for the purpose of listing the board shall post in a conspicuous place a copy of section four hundred and sixty, printed on white

paper with black ink, in type not less than one quarter of an inch wide.

Section 74. Provides that the listing board shall keep a record of all applicants for listing under the provisions of section seventy-three to be open to public inspection. They shall also cause to be printed in some newspapers in Boston the name of each applicant.

Section 75. The police commissioner shall have his office open during such hours as shall be necessary to carry out the provisions of the two preceding sections.

Section 76. Relates to the preparation of an annual register of voters in Boston by the election commissioners.

Section 77. Every person, male or female, whose name has not been entered in the annual register in accordance with the preceding section, must, in order to be registered as a voter, apply in person for registration and prove that he is qualified to register.

Election Commissioners of Boston.

Section 78. The election department of Boston shall be under the charge of a board of election commissioners consisting of four citizens and voters of Boston who shall be appointed by the mayor; and chapter four hundred and eighty-six of the acts of the year nineteen hundred and nine, and all other acts relating to departments of Boston, or the officers and employees thereof, not consistent herewith, shall be applicable to said department and the officers and employees thereof.

Section 79. Relates to the appointment, term of office, etc., of the election commissioners.

Section 80. Relates to the appointment of assistant registrars of voters in Boston.

POLITICAL COMMITTEES.

Boston Ballot Law Commission.

Section 81. Said board shall constitute the Boston ballot law commission and shall in all matters relating to objections and questions arising in the case of nominations of candidates for city offices have the powers and perform the duties prescribed for the state ballot law commission; and when sitting as such, the chief justice of the municipal court of the city of Boston, or in case of his disability the senior justice of said court who is not disabled, shall be a member of said board and shall preside, but shall not vote unless the other commissioners are equally divided; and in every other matter in which the commissioners are equally divided said chief justice shall act with them and shall cast the deciding vote.

Sections 82-87. Provide for registration, the preparation of street and voting lists, etc., in Boston.

POLITICAL COMMITTEES.

State Committee.

Section 88. Each political party shall annually elect a state committee, the members of which shall hold office for one year from the first day of January next following their election and until their successors shall have organized. Said committee shall consist of at least one member from each senatorial district to be elected at the state primaries, and such number of members at large as may be fixed by the committee to be elected at the state convention; and the person who in the aggregate of all the ballots cast in each district for such district members shall receive the highest number of such votes shall be the member elected,

The members of the state committee shall, in January, meet and organize by the choice of a chairman, a secretary, a treasurer and such other officers as they may decide to elect.

The secretary of the state committee shall, within ten days after such organization, file with the secretary of the commonwealth, and send to each city and town committee, a list of the members of the committee and of its officers.

A vacancy in the office of the chairman, secretary or treasurer of the committee or in the membership thereof shall be filled by the committee, and a statement of any such change shall be filed as in the case of officers first chosen.

City, Ward and Town Committees.

Section 89. Each political party shall, in every ward and town, annually elect at the state primaries, a committee to be called a ward or a town committee, to consist of not less than three persons, who shall hold office for one year from the first day of January next following their election and until their successors shall have organized.

The members of the several ward committees of a political party in a city shall constitute a committee to be called a city committee.

Each town committee shall annually, between the first day of January and the first day of March, and each ward and city committee shall, within thirty days after the beginning of its term of office, meet and organize by the choice of a chairman, a secretary, a treasurer and such other officers as it may decide to elect.

The secretary of each city and town committee shall, within ten days after its organization, file with the secretary of the commonwealth, with the city or town clerk and with the secretary of the state committee of the political party which it represents, a list of the officers and members of the committee.

A vacancy in the office of the chairman, secretary or treasurer of a city, ward or town committee shall be filled by the committee, and a vacancy in the membership of a ward or town committee shall be filled by such committee, and a statement of any such change shall be filed as in the case of the officers first chosen.

Section 90. Upon a re-division of a city into wards, any political party may in the next succeeding calendar year elect its ward committees for such terms, not exceeding the length of the terms for which the former committees were chosen, as the city committee existing at the time of calling the

ALL PRIMARIES.

caucuses may determine, and thereafter shall elect such committees at the times and for the terms prescribed by law. The caucuses for the choice of such ward committees shall be called by the city committee in existence at the time, and shall be subject to such reasonable notice as said city committee shall determine.

Section 91. Committees of any party existing at the time when such party at an annual state election first polls for governor three per cent of the entire vote cast in the commonwealth for that office shall be deemed to be organized under these provisions.

Committee Rules and Regulations.

Section 92. A state, city or town committee may make rules and regulations, not inconsistent with law, for its proceedings and relative to caucuses called by it, and may fix the number of persons of whom it shall consist, which number shall be announced in the call for the meeting at which they are to be chosen. Each city or town committee may make reasonable regulations, not inconsistent with law, to determine membership in the party, and to restrain persons not entitled to vote at caucuses from attendance thereat or taking part therein. But no political committee shall prevent any voter from participating in a caucus of its party for the reason that the voter has supported an independent candidate for political office. A state committee may make rules and regulations, not inconsistent with law, for calling conventions.

PROVISIONS APPLYING TO ALL PRIMARIES.

Conduct of Primaries.

Section 93. Primaries shall be conducted in general accordance with the provisions of law concerning the conduct of elections and the manner of voting thereat, except as otherwise provided in the sections concerning primaries.

Withdrawals From Nomination.

Section 94. A person who is nominated to be voted for at a primary may withdraw his name from nomination by a

request in writing signed by him and acknowledged before a justice of the peace and filed with the officer with whom the nomination was filed, in the case of a person to be voted for at a state or presidential primary within the seventy-two week-day hours, and in the case of a person to be voted for at a city or town primary within the forty-eight week-day hours, succeeding five o'clock in the afternoon of the last day fixed for the filing of nomination papers for such primary.

Nomination Papers.

Section 95. When nomination papers have been filed, and are in apparent conformity with law, they shall be valid unless objections thereto are made in writing and filed with the officer with whom the nomination paper was filed. Such objections shall be filed in the case of candidates to be voted for at a state or presidential primary within the seventy-two week-day hours, in the case of candidates to be voted for at city primaries within the forty-eight week-day hours, and in the case of candidates to be voted for at town primaries within the twenty-four week-day hours, succeeding five o'clock in the afternoon of the last day fixed for the filing of nomination papers for such primaries.

Section 96. Objections to nomination papers for candidates to be voted for at state or presidential primaries, and all other questions relating thereto, shall be considered and determined by the state ballot law commission; to nominations for candidates to be voted for at city primaries by the board of registrars, the city clerk and the city solicitor; and to nominations for candidates to be voted for at town primaries by the board of registrars.

Primaries, When Held.

Section 97. State primaries shall be held on the sixth Tuesday preceding state elections, city primaries on the third Tuesday preceding city elections, town primaries, on the second Tuesday preceding town elections, and presidential primaries on the last Tuesday in April; except that primaries

before a special election shall be held on the second Tuesday preceding the special election.

In Boston they shall be held by precincts as established for elections; elsewhere, wholly or partly by wards, precincts or towns, as the board of aldermen or selectmen may from time to time determine.

What Provisions of Law Apply.

Section 98. The provisions of law relating to election officers, voting places for elections, election apparatus and blanks, calling and conduct of elections, manner of voting at elections, counting and recounting of votes at elections, the provisions of section three hundred and eight, corrupt practices, and penalties, shall apply to primaries, except as otherwise provided in the sections concerning primaries.

Recounts.

Section 99. In Boston petitions for recounts after primaries shall be filed before five o'clock in the afternoon of the second day thereafter.

Officers Designated to Serve at Primaries.

Section 100. The election commissioners in Boston, the city clerks in other cities, and the town clerks in towns may designate two inspectors and two deputy inspectors, representing the two leading political parties, instead of a larger number, to serve at the primaries, and from the whole body of election officers they may designate officers equally representing the two leading political parties to serve as tellers in any precinct or ward during part of the day for the purpose of receiving ballots, checking names, or canvassing and counting votes, such tellers to receive such part of a full day's compensation of election officers as the election commissioners in Boston, the board of aldermen in other cities, or the selectmen in towns, may determine.

Section 101. In wards or towns where at elections voting is by precincts, but at primaries by wards or towns, the city or town clerk shall designate which of the election officers shall serve as primary officers.

Section 102. Except in Boston no person shall be ineligible to serve as a primary officer because he is a candidate for or member of a ward or town committee.

Ballots.

Section 103. Ballots for use at state and presidential primaries shall be prepared and provided, and the number thereof determined by the secretary of the commonwealth, and no other ballots shall be received or counted: provided, however, that if the ballots provided for any polling place are not delivered, or if after delivery they are lost, destroyed or stolen, the city or town clerk or election commissioners shall provide ballots similar as far as possible, which ballots may be used.

Section 104. The city or town shall provide and the city or town clerk shall prepare ballots to be used in city or town primaries, and no other ballots shall be received or counted. No ballots as herein provided shall be printed in any printing establishment owned or managed by the city of Boston.

Section 105. The number of ballots for use at city or town primaries shall be determined by the city clerk in cities, and by the town clerk in towns, and shall not for any ward or town exceed one ballot of each party for each voter therein.

Section 106. Ballots for each party shall be printed on paper of a different color from that on which the ballots for any other party are printed. At least six facsimile copies of the ballot for each party, printed on colored paper, shall be provided for each polling place as specimen ballots.

Section 107. At the top of each ballot shall be printed the words. "The official ballot of (here shall follow the party name)." On the back and outside of each ballot when folded shall be printed the words "Official ballot of the (here shall be inserted the party name)", followed by the number of the precinct and ward or the name of the town for which the ballot is prepared, the date of the primary and for state or presidential primaries a facsimile of the signature of the secretary of the commonwealth and for city or town primaries a facsimile of the signature of the city or town clerk. Names

of candidates for each elective office shall be arranged alphabetically according to their surnames.

Names of candidates for ward or town committees, and for delegates to conventions shall be arranged in groups in such order as may be determined by lot, under the direction of the secretary of the commonwealth, who shall notify each state committee and give a representative of each such committee an opportunity to be present: provided, however, that, when necessary, groups may be printed on the ballot in two or more columns.

Against the name of a candidate for an elective office, for a ward or town committee or for a member of a state committee shall be printed the street and number, if any, of his residence.

Against the name of a candidate for an elective office shall be printed the statement contained in the nomination paper placing him in nomination.

No names shall be printed on a ballot other than those presented on nomination papers. Immediately following the names of candidates blank spaces equal to the number of persons to be chosen shall be provided for the insertion of other names.

The number of persons to be voted for for the different offices shall be stated on the ballot.

The form of ballots and the arrangement of printed matter thereon shall be in general the same as that of the official state ballots, except as otherwise provided in the sections concerning primaries.

Manner of Voting.

Section 108. A cross (X) marked against a name shall constitute a vote for the person so designated. A cross in the circle at the head of a group of candidates for ward committees or for delegates to a state convention shall count as a vote for each candidate therein. A voter may vote for one or more candidates in any such group by marking a cross against the name of each such candidate, or he may insert another name and mark a cross against it. If he votes for more candi-

dates than the number to be elected, his vote shall not be counted.

Delivery of Ballot Boxes, Ballots, Etc.

Section 109. The city or town clerk, or in Boston the election commissioners, before the opening of the polls on the day of the primary, shall deliver at the polling place to the warden or, if he is not present, to the clerk, or, if both are absent, then to any inspector, ballot boxes, the ballots, specimen ballots, voting lists, suitable blank forms and apparatus for canvassing and counting the ballots and making the returns, a seal of suitable device and a record book of each polling place. The presiding officer at each polling place shall, before the opening of the primary, conspicuously post in such polling place at least six specimen ballots for each party, which shall be kept posted until the polls are closed, except that where voting booths are provided two of such specimen ballots for each party may be posted on such booth.

Enrolment.

Section 110. When, in a primary, a voter seeks to pass the guard rail, he shall be asked by one of the ballot clerks, with which political party he desires to be enrolled, and the ballot clerk upon reply shall distinctly announce the name of such political party and give him such political party ballot. The voter's selection shall be checked on the voting list by the ballot clerk and such list shall be returned to the election commissioners in Boston, or to the city clerk in any other city, or to the town clerk in towns, for preservation during the next succeeding five calendar years. The party enrolment of voters on such voting lists, and all subsequent party enrolment of voters, shall be transferred each year to the voting lists used at subsequent primaries, providing the names of such voters have been entered, in Boston in the general register prepared by the election commissioners, from the police lists, and in other cities and in towns, in the annual register prepared from the assessors' lists.

Section 111. No voter enrolled at a primary shall be

allowed to receive the ballot of any political party except that with which he is so enrolled, but he may establish, change or cancel his enrolment by appearing in person before the election commissioners in Boston, the city clerk in any other city, or the town clerk in towns, and requesting in writing to have his enrolment changed to another party, or cancelled: provided, that such change or cancellation shall not take effect until the expiration of ninety days after the voter so appears. No voter enrolled as a member of one political party shall be allowed to receive the ballot of any other political party, upon a claim by him of erroneous enrolment, except upon a certificate of such error from the election commissioners or board of registrars, as the case may be, which shall be presented to the presiding officer of the primary and preserved as part of the records of such primary; but the political party enrolment of a voter shall not preclude him from receiving at a city or town primary the ballot of any municipal party, though in no one primary shall he receive more than one party ballot. All party enrolments at city or town primaries prior to the passage of this act are hereby cancelled.

Counting of Votes.

Section 112. In the counting of votes when the ballots are removed from the ballot box, they shall first be sorted into piles, one for each party, and each pile shall be counted and sealed separately. Votes shall be counted only for nominations of the party on whose ballot they appear.

PROVISIONS APPLYING TO STATE PRIMARIES.

Section 113. The nomination of candidates of political parties for all offices to be filled at a state election, excepting the office of presidential elector, and the election of district members of state committees, members of ward and town committees, and the delegates to state conventions of political parties shall be by direct plurality vote in primaries.

District State Committee and Delegates to State Conventions.

The number of district members of the state committee, not

less than one from each senatorial district, and the number of delegates to the state convention, not less than one for each ward or town, to be elected, shall be fixed by the state committee, and the number of members of ward and town committees, not less than three for each ward and town, to be elected, shall be fixed by the city and town committees. Notice of the number of delegates and members of committees shall be given by the state, city or town committees, as the case may be, to the secretary of the commonwealth, on or before the first day of August.

Relative to Primaries in Wards, Precincts, Etc.

Section 114. In cities or towns where the question of holding primaries by wards, precincts, or groups of precincts is determined by the aldermen or selectmen, notice of such determination shall be given to the secretary of the commonwealth, by the aldermen or selectmen on or before the first day of August; except that in case of primaries before special elections, such notice shall be given at least fourteen days before the primaries.

Polls.

Section 115. The polls at every state primary shall be open during such hours, not less than nine in cities or two in towns, as may be designated by the board of election commissioners in Boston, the aldermen in other cities, and the selectmen in towns.

Nomination Papers.

Section 116. The nomination of candidates for nomination at state primaries shall be by nomination papers. In the case of offices to be filled by all the voters of the commonwealth such papers shall be signed in the aggregate by at least one thousand voters, not less than two hundred and fifty to be from each of four different counties. In the case of all other offices to be filled at a state election, by a number of voters equal in the aggregate to five voters for each ward or town in the district or county, but in no case shall more than two hundred and fifty be required.

The nomination of candidates for election at state primaries shall be made as in the case of candidates for nomination for state offices other than those to be filled by all the voters of the commonwealth.

Section 117. Every nomination paper shall state, in addition to the name of the candidate, (1) his residence, with street and number thereof, if any, (2) the office for which he is nominated, (3) the political party which he represents, and except for candidates for ward and town committees and delegates to conventions the paper may state, in not more than eight words, the occupation of the candidate, the public offices which he has held, or that he is a candidate for renomination, providing he is at the time an incumbent of the office for which he seeks renomination for another term, but not otherwise. Every voter who signs such paper shall sign it in person with his full surname, his Christian name, and the initial of every other name which he may have, and shall state his residence of the previous first day of April, as well as the place where he is then living, with the street and number thereof; but any voter who is prevented by physical disability from writing, or who had the right to vote on the first day of May in the year eighteen hundred and fifty-seven, may authorize some person to write his name and residence in his presence; and every voter may sign as many nomination papers for each office to be filled as there are persons to be nominated for or elected thereto, and no more.

Such papers shall also contain the statement that the signers thereof are members of the party represented by the candidate and are entitled to vote in the primaries of that party; and whoever knowingly subscribes falsely to a statement on a nomination paper shall be punished by imprisonment for not more than five days or by a fine not exceeding fifty dollars. No nomination paper except for a delegate or delegates to a convention shall be valid in respect to any candidate whose written acceptance is not thereon.

None but enrolled voters of the party represented by a can-

didate, and voters who are not enrolled in any party, shall be entitled to sign the nomination paper of such candidate. No nomination paper shall contain the name of more than one candidate except in the case of delegates to the state convention and members of ward and town committees.

Section 118. Every nomination paper shall be submitted on or before five o'clock in the afternoon of the Saturday preceding the day on which it must be filed to the registrars of the city or town in which the signers appear to be voters, and in Boston to the election commissioners, who shall forthwith certify thereon the number of signatures which are names of voters, not enrolled in any other party than that represented by the candidate whose name appears in the nomination paper both in the city or town and in the district for which the nomination is made. They need not certify a greater number of names than are required to make a nomination, with one fifth of such number added thereto. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The secretary of the commonwealth shall not be required in any case to receive nomination papers for a candidate after receiving papers containing a sufficient number of certified names to make a nomination, with one fifth of such number added thereto. For the purpose of certifying to the names on primary nomination papers it shall be the duty of the board of registrars of voters, in Boston the election commissioners, to hold meetings on the four Saturdays next preceding the date on which such papers are required to be filed with the secretary of the commonwealth, except that such meetings shall be held on the two Saturdays next preceding the date on which the papers are required to be so filed for primaries before special elections.

No person shall be a candidate for nomination for more than one office for which such nominations are made; but this shall not apply to candidates for membership in political committees or delegations to the state convention.

Section 119. Nomination papers for use in the nomination

of candidates to be voted for at state primaries shall be prepared and furnished by the secretary of the commonwealth, upon request.

Section 120. All nomination papers of candidates to be voted for at state primaries shall be filed with the secretary of the commonwealth on or before the fifth Tuesday preceding the day of the primaries; except in the case of primaries before special elections, when nomination papers shall be filed on or before the second Tuesday preceding the day of the primaries.

Section 121. If a person nominated to be voted for a state primary dies before the day of the primary, or withdraws his name from nomination, or is found to be ineligible, the vacancy may be filled, in the case of a candidate for nomination, by the state committee, if the candidate is one to be voted for by all voters of the commonwealth; and in the case of all other candidates, by the members of the ward and town committees in the wards and towns comprising the respective districts, and in the case of a candidate for election, by the said ward and town committee; provided, however, that the death, withdrawal or ineligibility of a candidate for nomination shall not be treated as creating a vacancy to be filled unless by reason of such vacancy there would be no candidate for the party nomination for the office.

Section 122. In cases of withdrawal nominations to fill vacancies shall be filed with the secretary of the commonwealth within seventy-two week-day hours succeeding five o'clock in the afternoon of the last day for filing withdrawals.

They shall be open to objections in the same manner, so far as practicable, as other nominations.

No vacancy caused by withdrawal shall be filled before the withdrawal has been filed.

Canvassing Returns, Determining Results, Etc.

Section 123. No ballots cast at a state primary shall be counted until the close of the polls.

Section 124. Upon the receipt of the records of votes cast

at state primaries the city or town clerk or election commissioners shall forthwith canvass the same and make return of the votes for candidates for nomination for state officers, and for election as members of the state committee, to the secretary of the commonwealth, who shall forthwith canvass such returns, determine the results thereof, notify the successful candidates, and certify to the state committees the names of the persons nominated for state offices and elected as members of the state committees.

Said clerks or commissioners shall determine the results of the vote for delegates to the state conventions and members of ward and town committees, issue proper certificates thereof to the successful candidates, and notify the chairman of the city and town committees of the respective parties.

In Case of a Tie Vote.

Section 125. In case of a tie vote for any candidate for nomination for an office to be filled by all the voters of the commonwealth the vacancy shall be filled by the state committee.

In case of a tie vote for any other candidate for nomination the vacancy shall be filled by the members of the ward and town committees in the wards and towns comprising the districts for which the nominations are to be made. If there is a tie vote for delegates to a convention, or a place unfilled in a delegation, or a vacancy occasioned by inability or neglect of a delegate elected to attend a convention, such vacancies shall be filled only by vote of the remaining members of the delegation at a meeting called for the purpose. Such meeting shall choose a chairman and secretary, and the secretary shall notify the secretary of the convention of the action taken relative to such vacancy, except that, if only one delegate or two delegates were to be elected, the delegate or the remaining delegate, as the case may be, shall fill such vacancy and notify the secretary of the convention of such action.

If there is a tie vote for members of a ward or town committee, the members elected shall fill the vacancy.

CITY AND TOWN PRIMARIES.

If a majority of a delegation, or of a ward or town committee, is not elected the vacancy shall be filled by the ward or town committees.

All vacancies caused by ties shall be filled only by the choice of one of the candidates receiving the tie vote.

State Convention, Etc.

Section 126. A political party may, upon the call of its state committee, but not earlier than one week nor later than two weeks, after the holding of the primaries, hold a state convention for the purpose of adopting a platform, electing such number of members at large of the state committee as may be fixed by the state committee, nominating presidential electors, and for such other purposes not inconsistent with this act as the state committee or the convention may determine. Such convention shall consist of the delegates elected at the state primary (in number not less than one for each ward and town), the members of the state committee, the United States senators from Massachusetts who are members of the party, the nominees of the party for all offices to be filled at the state election, and in years in which no elections are held for such offices, the incumbents of those offices who are members of the party.

Section 127. The secretary of the commonwealth may employ such temporary clerical assistance as he may deem necessary to carry out the provisions of this act relative to primaries: provided, however, that the provisions of chapter nineteen of the Revised Laws and the civil service rules made thereunder shall not apply to such employment.

PROVISIONS APPLYING TO CITY AND TOWN PRIMARIES.

Section 128. All primaries of political and municipal parties for the nomination of candidates to be voted for at city and town elections in cities, and in towns using official ballots, which vote that primaries shall be held therein, shall be con-

ducted in general accordance with the provisions of law concerning primaries.

Section 129. In any city or town which has adopted the provisions of law for nominating by primaries, the following question shall be put on the official ballot at any city election or annual town meeting on petition of five per cent of the voters registered at the time of the preceding city election or annual town meeting, filed with the city or town clerk on or before the last day of filing nomination papers:— “Shall primaries for the nomination of candidates to be voted for at city (or town) elections continue to be held in this city (or town) ?” In any city or town not nominating by primaries the following question may, by similar petition, be put on the ballot at the next city election or annual town meeting:— “Shall primaries for the nomination of candidates to be voted for at city (or town) elections be held in this city (or town) ?” In the event of an affirmative or negative vote on these questions, such primaries shall or shall not thereafter be held accordingly.

Clerks of cities or towns which vote to hold primaries or to rescind such action shall forthwith notify the secretary of the commonwealth of such vote.

Section 130. Notices of intention to participate in primaries shall be furnished by the city and town committees of such political and municipal parties as are entitled to and desire to participate therein not less than twenty-two days prior to the day on which the primaries are to be held, to the city clerk in cities or the town clerk in towns.

Nomination Papers.

Section 131. The city or town shall provide, and the city or town clerk shall seasonably prepare blank nomination papers for use in the nomination of candidates to be voted for at city or town primaries. Such papers shall state the place where, and the day and hour prior to which, signed nomination papers shall be filed.

Section 132. Nominations of candidates for elective offices, to be voted for at a primary, shall be made by nomination

papers, as hereinafter provided. Such nominations shall be made on the blank nomination papers prepared in accordance with the preceding section; and no nomination paper offered for filing shall be received or shall be valid to which is attached any card, paper or other device containing the name of a candidate, his written acceptance, or the signature of any voter required by this section. Such papers shall be signed in person by at least five voters of the ward or town in which the primary is to be held, who shall add to their signatures the street and number, if any, of their residence. Such papers for a district composed of more than one ward shall be signed by a number of voters equal in the aggregate to not less than five voters for each ward in said district. Nomination papers shall not contain a larger number of names of candidates than there are persons to be elected. No nomination paper shall be valid in respect to any candidate whose written acceptance is not thereon. No vacancy caused by the death, withdrawal or ineligibility of any candidate shall be filled, unless the person entitled to fill such vacancy files the written acceptance of the candidate who is nominated to fill the vacancy.

Section 133. Every nomination paper shall state, in addition to the name of the candidate, (1) his residence, with street and number thereof, if any, (2) the office for which he is nominated, (3) the political or municipal party which he represents, and the paper may state in not more than eight words, the occupation of the candidate, the public offices which he has held, or that he is a candidate for renomination, provided he is at the time an incumbent of the office for which he seeks renomination for another term, but not otherwise. Every voter who signs such paper shall sign it in person, with his full surname, his Christian name, and the initial of every other name which he may have, and shall state his residence of the previous first day of April, as well as the place where he is then living, with the street and number thereof; but any voter who is prevented by physical disability from writing, or who had the right to vote on the first day of May in the

year eighteen hundred and fifty-seven, may authorize some person to write his name and residence in his presence; and every voter may sign as many nomination papers for each office to be filled as there are persons to be nominated for or elected thereto, and no more.

Such paper shall also contain the statement that the signers thereof are members of the party represented by the candidate and are entitled to vote in the caucuses or primaries of that party; and whoever knowingly subscribes falsely to a statement on a nomination paper shall be punished by imprisonment for not more than five days or by a fine not exceeding fifty dollars.

Filing of Nomination Papers.

Section 134. All nomination papers of candidates to be voted for at city or town primaries shall be filed with the city or town clerk not less than ten week days previous to the day on which the primary is to be held for which the nominations are made. Every such nomination paper shall be submitted at or before five o'clock in the afternoon of the Saturday preceding the day on which it must be filed to the registrars of the city or town in which the signers appear to be voters, and the registrars shall forthwith certify thereon a number of signatures which are names of voters not enrolled in any other party than that represented by the candidate whose name appears in the nomination papers both in the city or town and in the district for which the nomination is made. They need not certify a greater number of names than are required to make a nomination with one fifth of such number added thereto. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The city or town clerk shall not be required, in any case, to receive nomination papers for a candidate after receiving papers containing a sufficient number of certified names to make a nomination with one fifth of such number added thereto.

Section 135. In case of a vacancy caused by the death, withdrawal or ineligibility of a candidate, the person who filed

the nomination paper placing such candidate in nomination may fill the vacancy by presenting a new name on a nomination paper signed by himself with his own hand. If such vacancy was caused by withdrawal the nomination paper shall be filed within twenty-four week-day hours succeeding five o'clock of the last day for making withdrawals.

Section 136. The polls at every such primary shall be open during such hours, not less than nine in cities or four in towns, as may be designated by the aldermen of cities, and the selectmen of towns.

Section 137. City clerks in cities, and town clerks in towns, shall canvass the returns of votes, determine the results, and issue proper certificates thereof to the successful candidates.

Provisions Applying to Presidential Primaries.

Section 138. In any year in which candidates for presidential electors are to be elected, the election of delegates and of alternate delegates to national conventions of political parties shall be by direct plurality vote in primaries.

The number of district delegates and the number of district alternate delegates, not less than one from each congressional district, and the number of delegates and alternate delegates at large, shall be fixed by the state committee. Notice of the number of delegates to be elected shall be given to the secretary of the commonwealth on or before the third Wednesday in March by the state committee of each political party which intends to participate in such primaries.

Section 139. In cities and towns where the question of holding primaries by wards, precincts or groups of precincts is determined by the aldermen or selectmen, notice of such determination shall be given to the secretary of the commonwealth by the aldermen or selectmen on or before the third Wednesday in March.

Section 140. In primaries at which delegates to national conventions of political parties are elected, the secretary of the commonwealth shall cause to be placed first upon the ballots of such political party the names of candidates for the nom-

ination by such political party for the office of president of the United States and of vice president of the United States, arranged, under separate headings for each office, alphabetically according to their surnames, and each voter may express his preference for such candidates in the same manner as in voting for candidates for state offices to be voted for by all the voters of the commonwealth.

The nomination of candidates for nomination for the office of president of the United States and of vice president of the United States shall be made by nomination papers as in the case of offices to be filled by all the voters of the commonwealth.

Upon the receipt of the records of votes cast at presidential primaries the city or town clerk or election commissioners shall forthwith canvass the same and make return thereof to the secretary of the commonwealth, who shall forthwith canvass such returns for delegates, determine the results thereof, and notify the successful candidates.

The votes cast for preference shall be returned and canvassed in the same manner as in the case of votes for state offices to be filled by all the voters of the commonwealth, and the secretary of the commonwealth shall forthwith certify the result to the state committees of the respective political parties.

Section 141. In case of a vacancy caused by the death, withdrawal or ineligibility of a candidate for delegate to a national convention the vacancy may be filled in such manner as may be provided on the nomination paper placing such candidate in nomination: provided, however, that such provision is clearly stated on such paper before the signature of any voter is entered thereon. When no such provision is made the remaining candidate or candidates nominated by the same nomination paper may fill the vacancy. In the case of a withdrawal, such vacancy must be filled by filing in the office of the secretary of the commonwealth, within seventy-two week-day hours succeeding five o'clock in the afternoon of the

last day for filing withdrawals, a statement in writing signed by the person or persons authorized to fill the vacancy giving the name and residence of the candidate nominated accompanied by the written acceptance of such candidate.

Section 142. The provisions of law relating to primaries not inconsistent with the three preceding sections shall apply to presidential primaries so far as practicable.

PROVISIONS APPLYING TO ALL CAUCUSES OF POLITICAL PARTIES.

Section 143. If in a city, except Boston, or town wherein elections are held by precincts, the city or town committee of either of the two leading political parties shall file with the aldermen or selectmen, at least two weeks prior to the time of holding its caucuses, a notice that such party desires to hold its caucuses by precincts, or by groups of precincts in any ward, the aldermen or selectmen shall furnish a polling place in each precinct for the use of such party, as provided in section one hundred and sixty-one, and the caucuses of such party shall be held accordingly.

Relative to Special Elections.

Section 144. Caucuses relative to a special election shall be held at such time and place and subject to such reasonable notice as the political committee whose duty it is to provide for holding the same may determine. Calls therefor shall be issued by the chairman and secretary of said political committee.

Notices.

Section 145. Every caucus of a political party shall be called by a written or printed notice. No caucus or meeting of a political party not so called shall be recognized as valid under this title. It shall be the duty of the presiding officer at a caucus to open such caucus at the hour appointed therefor in the notice thereof.

To Whom Notices Shall Apply.

Section 146. Notices of caucuses shall apply to all members of the political party calling them, and to them only. No person having voted in the caucus of one political party shall be entitled to vote or take part in the caucus of another political party within the ensuing twelve months. Except that voting or taking part in the caucuses of any municipal party by any voter shall not affect his legal right to vote or to take part in the caucuses of any other political party, for any other election; and having voted or taken part in the caucuses of another political party for any previous election, shall not affect his right to vote or take part in the caucuses of any municipal party. No voter shall be prevented from voting or participating in any caucus if he takes the following oath which shall be administered to him by the presiding officer of the caucus:

You do solemnly swear (or affirm) that you are a registered voter in this ward (or town) and have the legal right to vote in this caucus; that you are a member of the political party holding the same, and intend to vote for its candidates at the polls of the election next ensuing; and that you have not taken part or voted in the caucus of any other political party for twelve months last past.

Such voter may be challenged like any other voter. Any person whose right to vote is challenged for any cause recognized by law shall not be permitted to vote until he has taken the foregoing oath; and the clerk or secretary of the caucus shall make a record of the administration of said oath to every person who takes the same, which record shall state whether or not said person voted. Said record shall be turned with the proceedings of said caucus and shall be prima facie evidence in any court that such person took said oath in said caucus.

Voting Lists to be Used.

Section 147. In balloting, the voting lists furnished under the provisions of section sixty-seven shall be used as check

lists and no person shall be entitled to vote or to take part in a caucus whose name does not appear upon said lists.

Plurality Vote to Elect, Certificates of Election, Returns, Tie Votes, Etc.

Section 148. The persons receiving the highest number of votes in a caucus shall be declared elected or nominated.

If there is a tie vote for caucus officers, the caucus officers elected shall fill the vacancy.

If a majority of caucus officers is not elected, or there is a tie vote for candidates for an elective office, the caucus shall at once proceed to another ballot unless some one present entitled to vote objects; in which case the caucus shall adjourn to any subsequent day. The hour and place shall, if practicable, be the same as that named in the call.

Section 149. The presiding officer and secretary or clerk of each caucus shall within three week days after its final adjournment deliver or send to each caucus officer a certificate of his election, and to each candidate for an elective office a notice of his nomination.

Section 150. Returns of all caucuses of political parties at which are made any direct nominations for a district comprising more than one ward, or where caucuses are held in one precinct or by groups of precincts in any ward, shall be made according to the provisions of section one hundred and seventy-nine. The registrars of voters shall canvass said returns and determine the results thereof. Recounts of ballots shall be made as provided in section one hundred and eighty-one.

Section 151. If there is a tie vote for any candidate of a political party nominated directly for any office, for a district comprising more than one ward, the vacancy shall be filled by a regularly elected general or executive committee representing the election district in which such vote has been cast, but the vacancy shall be filled only by the choice of one of the candidates receiving such tie vote.

**PROVISIONS APPLYING TO CAUCUSES OF POLITICAL
PARTIES AT WHICH OFFICIAL BALLOTS
ARE NOT USED.**

Section 152. At least two weeks prior to the date on which caucuses are to be held, the chairman or secretary of the city or town committee shall notify the aldermen or the selectmen respectively of such date, and said aldermen or selectmen shall, at the expense of the city or town, provide polling places for said caucuses, in case of a city, not less than one for each ward; and shall, at least ten days prior to the date of said caucus, give said chairman or secretary notice of the places so provided.

Notices.

Section 153. Notice of caucuses, signed by the chairman and secretary, shall be issued by each city and town committee not less than seven days prior to the day on which they are to be held. The notices shall state the place where, and the day and hour when, the several caucuses are to be held. They shall be conspicuously posted in at least five places on the highways or streets, and if practicable, in every post office in the city or town, or shall be published at least twice in one or more local newspapers, if there are any. The hour fixed for calling the caucus to order shall not be later than eight o'clock in the evening. The notice shall designate by name or office of the person who shall call such caucus to order and he shall preside until a chairman is chosen. If he is absent at the time appointed, any member of the ward or town committee present shall call the caucus to order and preside until a chairman is chosen. The first business in order shall be the choice of a chairman, a secretary and such other officers as the meeting may determine. No person shall serve as a caucus officer at any caucus in which he is a candidate for a nomination to an elective office.

Section 154. A ballot shall be taken for the choice of any candidate, to be selected by such caucus, and the polls shall be kept open at least thirty minutes.

Care of Ballots and Recounts.

Section 155. The secretary of each caucus shall forthwith, after the ballots cast therein have been counted, transmit the said ballots and the check list used at the caucus to the city or town clerk, as the case may be, who shall preserve them for ten days. If during said time ten voters entitled to vote in said caucus shall file with said clerk a written request so to do, he shall preserve the ballots and voting lists for three months, and shall produce the same if required by any court of justice having jurisdiction or authority over the same.

If within three week days after any caucus a person who has received votes thereat for nomination or election to any office, shall file a statement in writing with the said clerk, claiming an election or nomination or declaring an intention to contest the election or nomination of any other person, the clerk shall preserve the ballots for such nomination or office until the claim or contest has been finally determined.

The clerk shall immediately give notice in writing to the persons affected and to the chairman and secretary of the caucus, fixing a time within twenty-four hours thereafter and a place at which said ballots will be recounted. The chairman and secretary of the caucus shall, at said time and place, recount said ballots and determine the questions raised. Each candidate affected may be present during such recount, or may be represented by an agent appointed by him in writing. If it shall appear upon a recount that persons were nominated or elected other than those declared to have been nominated or elected, certificates of such change shall be made as in the case of the original certificate.

**PROVISIONS APPLYING TO CAUCUSES OF POLITICAL
PARTIES AT WHICH OFFICIAL BALLOTS
ARE USED.**

Section 156. All caucuses for the election of caucus officers, or for the nomination of candidates for any city or town office in any city or town held by a political party which has

adopted the provisions of law for the use of official ballots shall be called and held as hereinafter provided.

Section 157. Any city or town committee shall, at the written request of fifty voters, members of its party, call caucuses of said party to determine by ballot whether the provisions of law for the use of official ballots shall be adopted. The notice of said caucus shall state the purpose for which it is called, the place, the day and the hour, not earlier than six o'clock and not later than half-past seven o'clock in the evening, of holding said caucus. It shall be issued at least seven days prior to the day named therefor, and shall be published at least twice in one or more local newspapers, if there are any, and should be posted in at least five public places in each ward or town. The polls shall be kept open at least one hour. If said caucuses shall vote to adopt said provisions, all caucuses of said political party in said city or town shall thereafter be called and conducted accordingly.

Section 158. A political party in a city or town which has accepted said special provisions may, not less than one year after the date of the caucus wherein such provisions were adopted, revoke such action at a caucus called and held in the manner provided in the preceding section. Upon the adoption of said provisions or upon the revocation of such adoption, the secretary of the city or town committee of such political party shall, within ten days thereafter, file with the secretary of the commonwealth and with the clerk of the city or town and the secretary of the state committee of the political party so voting, a notice thereof.

Time of Holding.

Section 159. All such caucuses of a political party for the choice of candidates for a city or town election, except caucuses relating to a special election, shall be held on the same day in each city and town. The city or town committee shall fix the days for holding all caucuses mentioned in this section, and all calls for the same shall be issued by its chairman and secretary.

No two political parties shall hold their caucuses on the same day. The party first filing a copy of the call for a caucus with the city or town clerk, shall be entitled to precedence as to the day so fixed.

Section 160. Notice of caucuses in said cities or towns shall state the place where and the day and hour when nomination papers shall be issued; the place where and the earliest day and hour when such nomination papers may be filed, which time shall be not less than twenty-four week-day hours succeeding three o'clock of the day fixed for issuing such papers; the place where and the day and hour prior to which such nomination papers shall be filed; and the day on which the several caucuses will be held, and shall be issued not less than eighteen days prior thereto.

Polling Places, Etc.

Section 161. At least two weeks prior to the day named for a caucus, the chairman or secretary of the city or town committee shall give notice of such date to the aldermen or to the selectmen, who shall, at least ten days prior to such date, notify the city or town committee of the places selected for holding the caucuses, and shall, at the expense of the city or town, provide polling places, in a city not less than one for each ward, and in cities and towns where elections or caucuses are held in voting precincts, one in each of such precincts, as the city or town committee shall designate, but not less than one for each ward, and furnish them with booths, registering ballot boxes, guard rails and the like as they are arranged for state elections, also postage for mailing credentials and notices or certificates of nomination and election.

If twenty-five voters of a ward or of a town shall request in writing at least twelve days before any caucus of the political party to which they belong, the aldermen or selectmen shall so arrange the polling place of such ward or town as to allow voting to proceed in two or more lines at the caucus.

Section 162. At least seven days prior to the day named for a caucus, the city or town committee shall issue a notice

that such caucus will be held, stating the place, the day and the hour of holding the same. The hour shall not be earlier than two o'clock in the afternoon nor later than half-past seven o'clock in the evening. Notices relative to the filing of nomination papers or for caucuses shall be published at least twice in one or more local newspapers if there are any.

Nomination Papers.

Section 163. The city or town shall provide, and the city or town clerk shall seasonably prepare, for each political party, blank nomination papers for use in the different wards of the city or in the town. Such papers shall state the place where, and the day and hour prior to which, signed nomination papers shall be filed. On the back of each, sections one hundred and sixty-four to one hundred and seventy, inclusive, shall be printed. They shall be delivered to the chairman or secretary of the political committee for whose use they have been prepared, and to no other person.

Section 164. Nominations of candidates for elective city or town officers and for caucus officers to be voted for at a caucus, shall be made by nomination papers, as hereinafter provided. Such nominations shall be made on the blank nomination papers prepared and delivered in accordance with the preceding section; and no nomination paper offered for filing shall be received or shall be valid to which is attached any card, paper or other device containing the name of a candidate, his written acceptance, or the signature of any voter required by this section. Such papers shall be signed in person by at least five voters of the ward or town in which the caucus is to be held, who shall be members of the political party holding the caucus, and who shall add to their signatures the street and number, if any, of their residences. Such papers for a district composed of more than one ward shall be signed by a number of voters equal in the aggregate to not less than five voters for each ward in said district. Nomination papers shall not contain a larger number of names of candidates than there are persons to be elected. No nomination papers shall be valid in

respect to any candidate whose written acceptance is not thereon. No vacancy caused by the death, withdrawal or ineligibility of any of the above candidates shall be filled in the manner provided by law, unless the person entitled to fill such vacancy files the written acceptance of the candidate who is nominated to fill the vacancy.

Section 165. The nomination paper for an elective office shall give the name of the candidate, the street and number, if any, of his residence, and may, in not more than eight words, state his occupation, the public offices he has held or that he is a candidate for renomination, provided that he is at the time an incumbent of the office for which he seeks renomination for another term, but not otherwise.

The nomination paper of a candidate for a caucus office, shall state the street and number, if any, of his residence.

Section 166. All nomination papers shall be sealed up and filed in the office of the secretary of the city or town committee not less than ten week days previous to the day on which the caucus is to be held for which the nominations are made, and the secretary shall indorse upon them the time at which they are received by him. They shall not be opened until the time for their filing has expired, when the secretary, at his office, shall publicly open them and publicly announce the nominations therein made.

Section 167. The secretary of the city or town committee shall immediately give notice to the person filing the nomination paper of any error,* irregularity or informality appearing therein, and such person may, within two week days after the time when the nomination papers were opened, correct the same, or said secretary may make such correction.

Section 168. If, in a city, nomination papers placing persons in nomination for all the offices to be filled at a caucus

*"The words 'error, irregularity or informality,' cannot refer to anything the absence of which another section declares in effect, makes the paper invalid."—Decision of Judge Lothrop, Dean et al vs. Sands, Sept. 20, 1898.

in any ward are not filed, the secretary of the city committee shall forthwith notify the chairman or secretary of the committee of such ward, who shall forthwith call a meeting of said committee, which may nominate candidates for all officers for which nomination papers have not been filed, and shall immediately file with the secretary of the city committee nomination papers signed by all the members of the committee who agree to the nominations therein made. In case of disagreement two sets of such nomination papers may be filed. If, at the expiration of two week days after the time at which nomination papers were opened, proper nomination papers have not been filed for all the offices to be filled, or upon any vacancy caused by death or otherwise, except a withdrawal, the chairman and secretary of the city committee may file nomination papers for such offices or vacancies.

Section 169. If, in a town, nomination papers placing persons in nomination for all the offices to be filled at a caucus are not filed, or upon a vacancy by death or otherwise, except a withdrawal, the chairman or secretary of the town committee shall forthwith call a meeting of said committee, which shall have all the powers relative to the nomination of candidates conferred in the preceding section upon a ward committee and the chairman and secretary of a city committee.

Section 170. A person who is nominated by a nomination paper may, within forty-eight week-day hours succeeding five o'clock of the day fixed for opening nomination papers, withdraw his name from nomination by a request in writing signed by him with his own hand and filed with the secretary of the city or town committee. Thereupon, the secretary shall immediately give notice of such withdrawal and of the provisions of this section to the person who filed such nomination paper, and such person may, within twenty-four week-day hours succeeding five o'clock of the last day fixed for making withdrawals, present a new name on a nomination paper signed by himself with his own hand; otherwise the chairman and secretary of the city or town committee may file nomination papers

for the vacancy. If at any time subsequent to the expiration of the time for filling vacancies it shall appear that a vacancy has been created by death, the chairman of the city or town committee may file with the city or town clerk a new name to fill such vacancy; and if the time is sufficient therefor the new name shall be printed upon the official ballot.

Section 171. Not less than seven week days before the day upon which the caucuses are to be held and before five o'clock in the afternoon of the last day, the secretary of each city or town committee shall deliver to the city or town clerk the nomination papers filed with him.

Section 172. If an error or informality is found in any nomination paper, it shall be forthwith returned to the secretary of the committee by whom it was filed, for correction; and if it is not corrected and again filed before five o'clock in the afternoon of the day following its return to said secretary, it shall be void.

Section 173. Objections to nomination papers, and all other questions relating thereto, shall be considered in cities by the board of registrars, the city clerk and the city solicitor; and in towns by the board of registrars.

Preparation and Form of Ballots.

Section 174. Ballots for each political and municipal party, ballot boxes, voting lists, specimen ballots, blank forms and apparatus, seals and record books, shall be provided and treated in accordance with the provisions of sections one hundred and four to one hundred and nine inclusive, so far as is applicable, except as follows: The chairman and secretary of the city or town committee may determine the number of ballots to be provided for each ward or town, not exceeding one for each voter therein. If they fail so to do, the city or town clerk shall determine the number.

Section 175. On the back and outside of each ballot when folded shall be printed the words "Official ballot of the (here shall be inserted the party name)", followed by the number

of the precinct and ward or the name of the town for which the ballot is prepared, the date of the caucus and a facsimile of the signature of the secretary of the political committee.

Ballots shall be printed on white paper.

Names of candidates for caucus officers shall be arranged in groups in the order in which they are filed.

Against the name of a candidate for an elective or caucus office shall be printed the street and number, if any, of his residence.

A star (*) against a name shall indicate that a person is a candidate for re-election.

Conduct of Caucuses.

Section 176. Caucuses, except as herein otherwise provided, shall be held in general accordance with the provisions of law for the conduct of elections and the manner of voting thereat.

Section 177. The order of business shall be as follows:—

First, Any necessary preliminary business.

Second, Balloting until half-past eight o'clock in the evening, when the polls shall be closed unless the caucus shall vote to keep them open until a later hour; but every voter waiting in line at the hour for closing the polls shall be allowed to vote.

Third, After the polls have been closed, any other business which is properly before the caucus.

Section 178. If the right of a person offering to vote is challenged for any legal cause, the presiding officer shall require him, or some one in his behalf, to write his name and residence on the outside of the ballot offered, and before it is received the presiding officer shall add thereto the name of the person challenging and the cause alleged for the challenge; but no caucus officer shall receive any ballot which by law he is required to refuse. No officer or other person shall give any information in regard to a ballot cast by a challenged voter unless required by law so to do.

Counting of Ballots, Etc.

Section 179. Immediately after the polls have been declared closed, but not before, the ballots shall be counted in full view

of the voters. When they have been counted and the result has been ascertained, the presiding officer shall make public announcement thereof in open meeting, and the clerk shall, in open meeting, enter in words at length in the record book, the total number of names checked on the voting list, the total number of ballots cast, the names of all persons voted for, the number of votes for each person, and the title of the office for which he was a candidate. The clerk shall forthwith make a copy of said record, certify and seal the same, and transmit it to the city or town clerk. He shall then, before the adjournment of the caucus, and in the presence of those who counted the same, seal up all ballots cast, with the voting lists used, and a statement of any challenge which may have been made.

The warden and clerk shall endorse upon such package the name of the political party holding the caucus, its date, its purpose, and, if in a city, for what ward the ballots were cast. The warden shall forthwith transmit, by the officer detailed to attend the caucus, to the city or town clerk, the ballots cast, the voting lists, the ballot boxes, the ballot box seals, the counting apparatus, the copy of the records, and the record book.

The city or town clerk shall safely keep such sealed packages for ten days. If within said time ten voters entitled to vote in said caucus file with them a written request so to do, they shall preserve said ballots and voting lists for three months and shall produce them if required by any court having jurisdiction or authority over the same.

Section 180. The city or town clerk, upon written application, signed by at least ten voters of a ward or town, for a copy of a list as checked, may open the envelope containing the voting list used at any caucus in such ward or town and shall furnish to them a certified copy thereof as checked.

Recount of Ballots.

Section 181. If before five o'clock in the afternoon of the second day next succeeding the day of any caucus, ten or more voters of any town or ward shall sign, adding thereto

their respective residences on the first day of April of that year, and file with the city or town clerk, a statement under oath that the records and returns made by the caucus officers of such town or ward are erroneous, specifying the error, or that challenged votes were cast by persons not entitled to vote therein, said city or town clerk shall forthwith transmit such statement to the registrars of voters with the sealed package containing the ballots and voting lists, and said registrars shall give notice in writing to the person affected, fixing a place and time, as early as may be, at which said ballots will be recounted and at such place and time shall open the packages containing the ballots and voting lists and recount said ballots and determine the questions raised, and shall reject any challenged vote cast by a person found not to have been entitled to vote; and such recount shall stand as the true result of the vote cast in such caucus. Each candidate affected may be present during such recount, or may be represented by an agent appointed by him in writing. If it shall appear upon a recount that persons were nominated or elected other than those declared to have been nominated or elected, certificates of such change shall be made as in the case of the original certificate.

Caucus Officers.

Section 182. At the caucus held for the choice of candidates for a city or town election there shall be chosen annually a warden, a clerk, and at least five inspectors, and, in wards having more than five precincts such additional inspectors as the city committee of the political party whose caucuses are to be held may determine. They shall be voters of the ward or town in which they are elected and members of the political party whose caucus is to be held. No person shall be eligible to the position of warden or clerk or inspector who is a state, county or city employee, or who is a member of a ward or town committee, and no person shall serve as a caucus officer at any caucus wherein he is a candidate for a nomination to

an elective office. Every caucus officer shall hold office for one year, beginning with the first day of the month succeeding his election, and until his successor is elected. He shall, before entering upon the performance of his duties, be sworn to the faithful performance thereof by the warden, clerk, or a justice of the peace, and a record of such oath shall be made upon the record book of such caucus. The respective duties of caucus officers shall be in general the same as are required of election officers at elections.

Section 183. A majority of the caucus officers present at a caucus, may fill temporary vacancies and elect additional officers to serve in that caucus only. Such temporary officers shall be duly sworn. Permanent vacancies shall be filled by a majority vote of all the caucus officers.

Section 184. A city or town committee of a political party which has adopted the provisions of law for the use of official ballots shall, at least ten days before holding any caucus thereunder, appoint caucus officers in each ward, town, or voting precinct in cities and towns where elections or caucuses are held in such precincts, to serve at the first caucus to be held thereafter.

Section 185. In a newly incorporated city, or upon a re-division into wards of a city to which the said provisions apply, the caucus officers to serve in the first caucuses held in the next succeeding year shall be appointed by the city committee; and at such caucuses the regular caucus officers shall be chosen. Where additional polling places are provided, after the election of caucus officers, officers to act in such polling places shall be appointed by the city committee.

186-189—Applies to caucuses other than those of political parties.

Nomination of Candidates.

Section 190. Except as provided in this act, no nominations of candidates for public office shall be made and no political committee or delegates to conventions shall be elected.

Section 191. No nomination of a candidate to be voted for in an electoral district or division containing more than one

town or more than one ward of a city, shall be made by primaries or caucuses, except where such candidate is to be nominated by direct plurality vote.

Section 192. Each party may, at primaries, caucuses or conventions held in accordance with the provisions of this act, make as many nominations of candidates for each office as there are persons to be elected thereto, and no more, and shall be entitled to have the names of such candidates placed upon the official ballot. A party may make a nomination for an office to be filled by election in the commonwealth, or in any district, county, city, town or ward, when at the five preceding annual elections it polled in the commonwealth, or in such district, county, city, town or ward, respectively, a number of votes for governor equal to the number of voters required to nominate by nomination papers a candidate for the office so to be filled.

Such party shall be entitled to have the names of all candidates so nominated placed upon the official ballot upon filing a certificate of nomination as hereinafter provided.

Section 193. The nomination of candidates of political parties for all offices to be filled at a state election, excepting the office of presidential elector, shall be by direct plurality vote in primaries, and the candidates of political parties for elective city offices to be voted for in two or more wards, except in Boston, and in other cities when city charters provide otherwise, shall be nominated by direct plurality vote in primaries or caucuses.

The persons who in the aggregate of all the ballots cast at such primaries or caucuses in each district for the several candidates shall receive the highest number of votes shall be the candidates nominated.

No person whose name is not printed on a state primary ballot as a candidate for nomination for any office shall be entitled to have his name printed on the ballot to be used at a state election as a candidate for that office unless he files

in the office of the secretary of the commonwealth, before the last hour for filing nominations for the office for which the candidate is nominated, a written acceptance of the nomination.

Section 194. All provisions of law relative to the preparation of nomination papers and ballots, to primaries, caucuses and elections, to ballots cast at primaries, caucuses and elections, recounts of such ballots, shall so far as they are applicable, apply to caucuses held for direct nominations.

Conventions.

Section 195. No convention to nominate candidates shall be called for or held on a date earlier than four days after the holding of the caucuses for the choice of delegates thereto, and all such conventions shall be called for and held on a date not later than forty-eight hours prior to the hour for filing certificates of nomination as provided in section two hundred and three.

Section 196. The clerk of a city or town wherein caucuses are held by precincts or by groups of precincts in any one ward, immediately upon receipt of the returns from the caucus officers, which shall be made as provided in section one hundred and seventy-nine, shall tabulate and determine the results thereof, and issue proper certificates to the successful candidates.

Section 197. Every certificate of nomination shall state such facts as are required by section two hundred and one and except in cases of direct nomination for a district comprising more than one ward and except where caucuses are held in one precinct or by groups of precincts in any ward, shall be signed by the presiding officer and by the secretary of the caucus, who shall add to their signatures their residences, and shall make oath to the truth thereof. The secretary of the caucus shall within the seventy-two hours succeeding five o'clock in the afternoon of the day upon which the caucus was held and within the time specified in section two hundred and three, file such certificate as hereinafter provided.

Nomination by Nomination Papers.

Section 198. Nominations of candidates for any offices to be filled by all the voters of the commonwealth may be made by nomination papers, stating the facts required by section two hundred and one and signed in the aggregate by not less than one thousand voters for each candidate. Nominations of all other candidates for offices to be filled at a state election, and of all candidates for offices to be filled at a city election, except in Boston, and in other cities where city charters provide otherwise, may be made by like nomination papers, signed in the aggregate, for each candidate, by two voters for every one hundred votes cast for governor at the preceding annual state election in the electoral district or division for which the officers are to be elected, but in no case by less than fifty nor more than one thousand qualified voters. In Boston the nomination of candidates for any municipal elective office to be voted for at the municipal election in said city shall be made by nomination papers, prepared and issued by the election commissioners, signed in person by at least five thousand registered voters in said city qualified to vote for such candidates at said election. Nominations of candidates for offices to be filled at a town election may be made by nomination papers, signed by at least one voter for every fifty votes polled for governor at the preceding annual state election in such town, but in no case by less than twenty voters. At a first election to be held in a newly established ward of a city, the number of voters upon a nomination paper of a candidate who is to be voted for only in such ward need not exceed fifty; and at a first election in a town the number for the nomination of a candidate who is to be voted for only in such town need not exceed twenty.

Section 199. Every voter who signs a nomination paper shall sign it in person, with his full surname, his Christian name and the initial of every other name which he may have, and shall add his residence on the previous first day of April and the place where he is then living, with the street and

number thereof, if any, to his signature; but any voter who is prevented by a physical disability from writing or who had the right to vote on the first day of May in the year eighteen hundred and fifty-seven, may authorize some person to write his name and residence in his presence; and every voter may sign as many nomination papers for each office to be filled as there are persons to be elected thereto, and no more. Women who are qualified to vote may sign nomination papers for candidates for the school committee. Every nomination paper shall, before being filed, be seasonably submitted to the registrars of the city or town in which the signers appear to be voters, and in Boston to the election commissioners, who shall forthwith certify thereon the number of signatures which are names of voters both in the city or town and in the district or division for which the nomination is made. They need not certify a greater number of names than are required to make a nomination, with one fifth of such number added thereto. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The secretary of the commonwealth shall not be required in any case to file nomination papers for a candidate after filing such papers containing a sufficient number of certified names to make a nomination, with one fifth of such number added thereto. One of the signers to each nomination paper shall make oath to the truth of the statements therein, and the certification of such oath and the post office address of the signer shall be annexed to such paper.

Section 200. A notary public, justice of the peace or other magistrate, when taking the oath of a signer of a nomination paper, shall satisfy himself that the person to whom the oath is administered is the person signing such nomination paper, and shall so state in his attestation of said oath.

Certificates of Nominations and Nomination Papers.

Section 201. All certificates of nomination and nomination papers shall, in addition to the names of candidates, specify as to each: (1) his residence with street and number thereof,

if any; (2) the office for which he is nominated; and (3), except in the city of Boston, in other cities where city charters provide otherwise and as hereinafter provided the party or political principle which he represents, expressed in not more than three words. Certificates of nomination shall also state what provision, if any, was made by the caucus for filling vacancies caused by the death, withdrawal or ineligibility of candidates. The names of the candidates for president and vice president of the United States may be added to the party or political designation of the candidates for presidential electors. To the name of each candidate for the office of alderman at large shall be added the number of the ward in which he resides.

If a candidate is nominated otherwise than by a political party, the name of a political party shall not be used in his political designation, except as describing and preceding some other name or term which shall not be the name of any party which cast at the last preceding election more than three thousand votes for governor; and if so used in case of a candidate nominated by a nomination paper, the political designation shall consist of not more than two words and shall not be changed after having been placed upon the paper. Certificates of nomination and nomination papers for town officers may or may not include a designation of the party or principle which the candidate represents. If a candidate receives the nomination of a political party, and fails to withdraw therefrom, the name of any other political party shall not be used in his political designation unless he shall have received the regular nomination of such other political party.

Filing of Certificates of Nomination and Nomination Papers.

Section 202. Certificates of nomination and nomination papers for state offices shall be filed with the secretary of the commonwealth. Certificates of nomination or nomination papers for city and town offices shall be filed with the city or town clerk, in Boston with the election commissioners. Every nomination paper shall be filed by a responsible person,

who shall with his own hand sign such paper and add to his signature his place of residence, giving street and number, if any; and the secretary of the commonwealth or the city or town clerk shall require a satisfactory identification of such person. No nomination paper shall be received or be valid unless the written acceptance of the candidate thereby nominated shall be filed therewith.

Section 203. Certificates of nomination of candidates for offices to be filled by all voters of the commonwealth, except for presidential electors, shall be filed on or before the fifth Monday, and of all other candidates for offices to be filled at a state election, including presidential electors, on or before the third Thursday, and nomination papers of all candidates for offices to be filled at a state election, on or before the fourth Monday, preceding the day of the election; but if there is a special election to fill any state office, certificates of nomination shall be filed on or before the twelfth day, and nomination papers on or before the eleventh day, preceding the day of such election.

In cities, except where city charters provide otherwise, certificates of nomination for city offices shall be filed on or before the third Monday, and nomination papers on or before the second Wednesday preceding the day of the election.

In Boston, nomination papers for all municipal offices shall be filed on or before the twenty-fifth day prior to the municipal election.

In towns, certificates of nomination for town offices shall be filed on or before the second Wednesday, and nomination papers, on or before the second Thursday, preceding the day of the election; but if such Wednesday or Thursday falls on a legal holiday, said certificates of nomination or nomination papers shall be filed on or before the succeeding day; but if a town election is held on a day of the week other than Monday, such certificates of nomination and nomination papers shall be filed respectively on or before the twelfth and eleventh days preceding the day of the election.

Certificates of nomination and nomination papers shall be filed before five o'clock in the afternoon of the last day fixed for the filing thereof.

Objections to Nomination Papers.

Section 204. When certificates of nomination and nomination papers have been filed, and are in apparent conformity with law, they shall be valid unless objections thereto are made in writing. Such objections to nominations of candidates for state offices shall be filed with the secretary of the commonwealth, for city offices with the city clerk, or in Boston with the election commissioners, and for town offices with the town clerk; and in the case of state offices within the seventy-two week-day hours, in the case of city offices, except in Boston, and in other cities where city charters provide otherwise, within the forty-eight week-day hours, and in the case of town offices within the twenty-four week-day hours succeeding five o'clock in the afternoon of the last day fixed for the filing of nomination papers for such offices. In Boston such objections shall be filed on or before five o'clock p. m. on the fourteenth day preceding the city election.

Section 205. Objections to nominations for state offices, and all other questions relating thereto, shall be considered by the state ballot law commission; to nominations for city offices, except in Boston, by the board of registrars, the city clerk and the city solicitor; in Boston, by the ballot law commission of said city; and to nominations for town offices, by the board of registrars.

The boards constituted in cities and towns may, at hearings on such objections and question, summon witnesses, administer oaths and require the production of books and papers. Such witnesses shall be summoned in the same manner, be paid the same fees, and be subject to the same penalties for default, as witnesses before the superior court. A summons may be signed, and an oath may be administered by any member of such board, and the decision of a majority of the members thereof shall be final.

When such objection has been filed, notice thereof shall be forthwith mailed by the secretary of the commonwealth, or by the city or town clerk, or election commissioners, respectively, to the candidates affected thereby, addressed to their residences as given in the certificates of nomination or nomination papers, and to any party committee interested in the nomination to which objection is made.

If more candidates bearing the same designation are nominated for an office, otherwise than by nomination papers, than are to be elected thereto, such boards shall determine the candidates, if any, entitled to such designation.

Withdrawals, Vacancies, Etc.

Section 206. A person nominated as a candidate for any state, city or town office may withdraw his name from nomination by a request in writing signed by him and acknowledged before a justice of the peace and filed with the officer with whom the nomination was filed, in the case of a state office within the seventy-two week-day hours, in the case of a city office, except in Boston, and in other cities where city charters provide otherwise, within forty-eight week-day hours, and in the case of a town office within the twenty-four week-day hours, succeeding five o'clock in the afternoon of the last day fixed for the filing of nomination papers for such office. In Boston such withdrawals shall be filed on or before five o'clock p. m. on the fourteenth day preceding the city election.

Section 207. If a candidate nominated for a state, city or town office dies before the day of election, or withdraws his name from nomination, or is found to be ineligible, the vacancy for a city office in Boston may be filled by a committee of not less than five persons, or a majority thereof, if such committee be named, and so authorized in the nomination papers, and the vacancy for a state, city or town office elsewhere, except for a city office where city charters provide otherwise, may be filled by the same political party or persons who made the original nomination, and in the same manner;

or, if the time is insufficient therefor, the vacancy may be filled, if the nomination was made by a convention or caucus, in such manner as the convention or caucus may have prescribed, or, if no such provision has been made, by a regularly elected general or executive committee representing the political party or persons who held such convention or caucus. In the event of the withdrawal or death of any candidate of a political party nominated by direct nomination for any office, the vacancy may be filled by a regularly elected general or executive committee representing the election district in which such vacancy occurs, or, if no such committee exists, by the members of the ward and town committees in the wards and towns comprising such district. If a vacancy is caused by withdrawal, certificates of nomination made otherwise than in the original manner shall be filed within seventy-two week-day hours in the case of state offices, or within forty-eight week-day hours in the case of city or town offices, succeeding five o'clock in the afternoon of the last day for filing withdrawals, except that in Boston all substitutions to fill vacancies caused by withdrawal or ineligibility shall be filed with the election commissioners on or before five o'clock p. m. on the twelfth day preceding the city election. They shall be open to objections in the same manner, so far as practicable, as other certificates of nomination. No vacancy caused by withdrawal shall be filled before the withdrawal has been filed.

Section 208. When a nomination is made to fill a vacancy caused by the death, withdrawal or ineligibility of a candidate, the certificate of nomination shall, in addition to the other facts required, state the name of the original nominee, the fact of his death, withdrawal or ineligibility, and the proceedings had for filling the vacancy; and the presiding officer and secretary of the convention or caucus, or the chairman and secretary of an authorized committee, shall sign and make oath to the truth of the certificate, and it shall be accompanied by the written acceptance of the candidate nominated.

Section 209. Certificates of nomination, nomination papers, objections thereto and withdrawals, when filed, shall, under proper regulations, be open to public inspection, and the secretary of the commonwealth and the several city and town clerks, and in Boston the election commissioners, shall preserve the same in their respective offices for one year.

Section 210. The secretary of the commonwealth shall, upon application, provide blank forms for the nomination of candidates for all state offices; and he shall send blank forms for certificates of nomination for the office of representative in the general court to the clerk of each city and town for the use of any caucus or convention other than of political parties held therein for the nomination of candidates for that office. He shall likewise provide the clerks of towns wherein official ballots are used with blank forms for the nomination of candidates for town offices.

State Ballot Law Commission.

Section 211. There shall be a state ballot law commission consisting of three persons, one of whom shall annually in June or July be appointed by the governor with the advice and consent of the council, for a term of three years from the succeeding first day of August. The governor with the advice and consent of the council may remove any member of the commission or fill any vacancy therein for the remainder of the unexpired term. There shall always be on said commission a member of each of the two leading political parties.

Section 212. No member of said commission shall hold any public office except that of justice of the peace or notary public, or be a candidate for public office, or member or employee of any political committee. If any member of the commission shall be nominated as a candidate for public office and shall not in writing decline said nomination within three days, he shall be deemed to have vacated his office as a member of said commission.

Section 213. The state ballot law commission may summon witnesses, and administer to them oaths, and may require the

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production of books and papers at a hearing before it upon any matter within its jurisdiction. Witnesses shall be summoned in the same manner, be paid the same fees, and be subject to the same penalties as witnesses summoned before the general court. A summons may be signed and an oath may be administered by any member of said commission.

Section 214. The decision of a majority of the members of the commission upon any matter within its jurisdiction shall be final.

Section 215. The members of the state ballot law commission shall each be paid such compensation for their services, not exceeding five hundred dollars annually, as the governor and council may determine; and the total expenditures by and on account of said commission shall not exceed the sum of two thousand dollars in any one year.

Sections 216-225. Provide for wards and voting precincts.

Sections 226-239. Provide for the appointment of election officers.

Section 240. Provides for the appointment of supervisors at elections.

Sections 241-242. Relate to voting places for elections.

Sections 243-256. Relate to ballot boxes, voting machines, counting apparatus and blanks.

Sections 257-264. Relate to the preparation and form of ballots.

Sections 265-273. Relate to information to voters.

Sections 274-276. Relate to delivery of ballots, etc.

Time of Holding Annual State Election.

Section 277. The annual state election for the choice of governor, lieutenant governor, councillors, secretary, treasurer and receiver general, attorney-general, auditor of the commonwealth, and senators and representatives in the general court, shall be held on the Tuesday next after the first Monday in November. There shall also be chosen at the annual state election, when required by law, presidential electors, and,

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in their respective districts or counties, representatives in congress, district attorneys, clerks of the courts, registers of probate and insolvency, registers of deeds, county commissioners, associate commissioners, sheriffs and county treasurers.

Sections 278-279. Relate to calling of elections.

Sections 280-290. Relate to conduct of elections.

Sections 291-300. Relate to manner of voting at elections.

Sections 301-306. Relate to counting of votes at elections.

Section 308. The aldermen and city clerk, in Boston the election commissioners, and the selectmen and town clerks in towns divided into voting precincts, shall forthwith after a state or city election examine the copies of the records of the election officers, and if any error appears therein, they shall forthwith give notice thereof to the officers by whom the error was made, who shall forthwith make an additional record under oath in conformity with the facts and deliver a copy thereof to the city or town clerk or election commissioners. Such copy of the records made, with or without notice as aforesaid, shall be received by the city or town clerks or election commissioners at any time before the last day fixed for the transmission of copies of records of the votes cast in the city or town, or on which the results of the election are required to be declared.

The aldermen and city clerk, the election commissioners, and the selectmen and town clerk, shall examine all original and all additional copies of the records and make them part of the records for such election, and shall certify and attest copies of the records of votes for the several candidates.

Section 307-334. Relate to records and certificates of election.

Sections 331-334. Relate to recounts of votes at elections.

Sections 335-344. Relate to proceedings in cases of failure to elect and vacancies in state offices.

Sections 345-346. Relate to proceedings in presidential elections.

Corrupt Practices.

Section 347. No person shall, in order to aid or promote his own nomination or election to a public office, directly or indirectly, himself or through another person, promise to appoint, or promise to secure or assist in securing the appointment, nomination or election of another person to a public position or employment or to a position of honor, trust or emolument, except that he may announce or define what is his choice or purpose in relation to an election in which he may be called to take part, if elected.

Section 348. No person shall, in order to aid or promote his own nomination or election to a public office, directly or indirectly, himself or through another person, give, pay, expend or contribute, or promise to give, pay, expend or contribute, any money or other valuable thing, except for personal expenses or to a political committee as hereinafter provided. The words "personal expenses," as used in this chapter, shall include only expenses directly incurred and paid by a person for travelling and for purposes properly incidental to travelling; for writing, printing and preparing for transmission and distribution any letter, circular, or other publication, wherein is stated his position or views upon public or other questions; for stationery and postage; for telegraph, telephone and messenger service, expressage, and for preparing, circulating and filing nomination papers, and for the hire of not more than one conveyance to be used at each polling place at primaries only.

No person not a candidate for nomination or election, and no political committee, as defined in section one shall, in order to aid, promote or defeat the nomination or election of any person to public office, pay, expend or contribute, or promise to pay, expend or contribute, any money or valuable thing except in good faith for the following purposes: advertising, rent and maintenance of political headquarters, meetings, refreshments other than intoxicating liquors, decorations and music, postage, stationery, printing, expressage, travelling ex-

penses of candidates, committees, speakers and clerks, telephone, telegraph, messenger service and clerk hire, and for preparing, circulating and filing nomination papers; but a political committee may expend money for the hire of not more than one conveyance to be used at each polling place at elections only.

Section 349. A person who is a candidate for nomination or who is nominated as a candidate or voted for with his assent for public office, may make a voluntary payment of money or a voluntary and unconditional promise of payment of money to a political committee for the promotion of the principles of the party which it represents, or for its general purposes. No candidate for nomination or election or both, shall in any one election, including the primary therefor, make or incur, directly or indirectly, any payments, expenditures, promises or liabilities under this section which exceed in the whole twenty-five dollars for each one thousand or major portion thereof of the registered voters qualified to vote for the office in question at the next preceding election, but no candidate shall expend more than five thousand dollars, and any candidate may expend at least one hundred and fifty dollars for the said purposes.

Section 350. No person shall, directly or indirectly, himself or through another person, make a payment or promise of payment to a political committee or to any person acting under its authority or in its behalf, in any name except his own; nor shall such committee or person knowingly receive a payment or promise of payment, or enter or cause the same to be entered in the accounts or records of such committee, in any other name than that of the person by whom it is made.

Section 351. No person or persons, no political committee and no person acting under the authority of a political committee or in its behalf, shall demand, solicit, ask or invite from a person who is a candidate for nomination or election to public office, or who is occupying an elective public office, any payment or gift of money or other valuable thing, or promise

of payment or gift of money or other valuable thing for advertising, gratuities, donations, tickets, programmes, or any other purpose whatsoever; and no such candidate for nomination or election, and no one who is occupying an elective public office, shall make any such payment or gift, or promise to make any such payment or gift, to any person or persons, political committee, or any person acting under the authority of a political committee, if such person or political committee has demanded, solicited, asked, or invited from him any such payment, gift or promise of payment or gift; but this provision shall not apply to the soliciting or making in good faith of gifts for charitable or religious purposes.

Section 352. No political committee, and no person acting under its authority or in its behalf, shall demand or solicit from any person who is a candidate for nomination to elective office, or from any one acting in his behalf, a payment of money or promise of payment of money, as a prerequisite to his obtaining from such committee or its agent the nomination papers required by the provisions of sections one hundred and sixty-three to one hundred and seventy, inclusive.

Section 353. No business corporation incorporated under the laws of, or doing business in this commonwealth, and no officer or agent acting in behalf of such corporation, shall directly or indirectly give, pay, expend or contribute, or promise to give, pay, expend or contribute any money or other valuable thing in order to aid, promote or prevent the nomination or election of any person to public office, or in order to aid, promote or antagonize the interests of any political party. No person or persons, no political committee and no person acting under the authority of a political committee, or in its behalf, shall solicit or receive from such corporation any such gift, payment, expenditure or contribution, or any promise to give, pay, expend or contribute.

Section 354. No person shall publish or cause to be published in a newspaper or other periodical, either in its advertising or reading columns, any paid matter which is designed

or tends to aid, injure, or defeat any candidate for public office or a constitutional amendment or any other question submitted to the voters, unless the name of the chairman or secretary or the names of two officers of the political or other organization inserting the same, or the name of some voter who is responsible therefor, with his residence and the street and number thereof, if any, appear therein in the nature of a signature. Such matter inserted in reading columns shall be preceded or followed by the word "Advertisement" in a separate line, in type not smaller than that of the body type of the newspaper or other periodical.

Section 355. No person shall pay the owner, editor, publisher, or agent of a newspaper or other periodical to induce him editorially to advocate or oppose any candidate for public office or political principle, or a constitutional amendment or any other question submitted to the voters; and no such owner, editor, publisher, or agent shall accept such payment. This provision shall not apply to the outright purchase of such newspaper or periodical.

Section 356. No corporation carrying on the business of a bank, trust, surety, indemnity, safe deposit, insurance, railroad, street railway, telegraph, telephone, gas, electric light, heat, power, canal, aqueduct, or water company, or any company having the right to take or condemn land or to exercise franchises in public ways, granted by the commonwealth or by any county, city or town, and no trustee or trustees owning or holding the majority of the stock of such a corporation, shall pay or contribute in order to aid, promote, or prevent the nomination or election of any person to public office, or in order to aid, promote or antagonize the interests of any political party, or to influence or affect the vote on any question submitted to the voters. No person shall solicit or receive such payment or contribution from such corporation or such holders of stock; provided, however, that this section shall not be construed to prevent the bona fide publication or circulation by such a corporation, or such trustee or trustees, of

paid matter when under a referendum or question submitted to the voters, the taking, purchasing or acquiring of any of the property, business or assets of the corporation is involved, provided that the name of the corporation appears therein in the nature of a signature, and that if inserted as reading matter, such matter is preceded or followed by the word "Advertisement," in the manner required by section three hundred and fifty-four.

Section 357. No political committee and no person who is required to file a statement shall make any payment or promise of payment of money to or in behalf of any person for naturalization fees or for services as counsel or otherwise in assisting any one to obtain naturalization.

Section 358. Every political committee shall have a treasurer, who is a voter of the commonwealth, and shall cause him to keep detailed accounts of all money or its equivalent, received by or promised to the committee, or by or to any person acting under its authority or in its behalf, and of all expenditures, disbursements and promises of payment or disbursement made by the committee or by any person acting under its authority or in its behalf. No person acting under its authority or behalf shall receive any money or its equivalent, or expend or disburse the same, until the committee has chosen a treasurer.

The number of persons that may be employed by political committees in cities for any purpose, except as caucus officers, shall not exceed six persons in each voting precinct of the city. In cities, or parts thereof, not divided into precincts, the number shall not exceed six for each ward.

Section 359. Whoever, acting under the authority or in behalf of a political committee, receives any money or its equivalent, or promise of the same, or expends or incurs any liability to pay the same, shall, on demand, and in any event within fourteen days after such receipt, expenditure, promise or liability, give to the treasurer a detailed account of the same, with all vouchers required by this chapter, which shall

be a part of the accounts and files of such treasurer.

Section 360. The treasurer of every political committee which receives, expends or disburses any money or its equivalent, or incurs any liability to pay money in connection with any nomination or election to an amount exceeding twenty dollars, shall, within thirty days after such election, file a statement setting forth all the receipts, expenditures, disbursements and liabilities of the committee and of every officer and other person acting under its authority or in its behalf. It shall include the amount in each case received, the name of the person or committee from whom received, the date of its receipt, the amount of every expenditure or disbursement, the name of the person or committee to whom it was made, and the date thereof; and, unless such expenditure or disbursement was made to another political committee, shall clearly state the purpose of such expenditure or disbursement; also the date and amount of every existing promise or liability, both to and from such committee, remaining unfulfilled and in force when the statement is made, the name of the person or committee to or from whom the unfulfilled promise or liability exists, and a clear statement of the purpose for which the promise or liability was made or incurred. If the aggregate receipts or disbursements of a political committee in connection with any election shall not exceed twenty dollars, the treasurer of the committee shall, within thirty days after the election, certify the fact under oath to the secretary of the commonwealth.

Section 361. Whoever, acting otherwise than under the authority or in behalf of a political committee having a treasurer, receives money or its equivalent, or expends or disburses, or promises to expend or disburse money or its equivalent, to an amount exceeding twenty dollars, to aid or promote the success or defeat of a political party or principle in any election, or to aid or influence the nomination, election or defeat of a candidate for office, shall file in the city or town in which he is a voter, the statement required by the preced-

ing section, and shall be subject to all the duties required by this chapter of a political committee or the treasurer thereof; but no person except a voter of the commonwealth shall receive, expend or disburse any money or its equivalent or promise to expend or disburse any money or its equivalent, for either of the purposes above named, except for personal expenses as is herein provided, or under the authority or in behalf of a political committee.

Section 362. Every candidate for nomination to a public office shall, within seven days after the last day for filing nominations for that office, and every candidate for election to a public office shall within seven days after the election held to fill the office, file a statement in writing setting forth each sum of money and thing of value expended, contributed or promised by him, for the purpose of securing or in any way affecting his nomination or election to the office, and the name of the person or political committee to whom the payment, contribution or promise was made and the date thereof.

Section 363. The statement required to be filed by a candidate, treasurer or other person shall be filed with the clerk of the city or town in which such candidate, treasurer or other person is a voter. In case the nomination to which such statement related is a nomination to a state or national office, or the election is a state or national election, a duplicate shall be filed with the secretary of the commonwealth. Whoever makes a statement required by the provisions of this chapter shall make an oath that it is in all respects correct and true to the best of his knowledge and belief.

Section 364. The secretary of the commonwealth shall inspect all statements filed with him, and the clerks of cities shall inspect all statements relating to nominations and to city elections filed with them, within sixty days after the election to which they relate, and if upon examination of the official ballot it appears that any person has failed to file a statement as required by law, or if it appears to the secretary than any such statement filed with him does not conform to

law, or if it appears to a city clerk that such statement relating to a city nomination or election does not conform to law, or upon complaint in writing by five registered voters that a statement does not conform to law, or that any person has failed to file a statement required by law, the secretary or city clerk shall in writing notify the delinquent person. Such complaint shall state in detail the grounds of objection, shall be sworn to by one of the subscribers, and shall be filed with the secretary or with the proper city clerk within ninety days after the election, in question, or within sixty days after the filing of a statement or amended statement.

Section 365. Upon the failure to file a statement within ten days after receiving notice under the preceding section, or if any statement filed as above discloses any violation of any provision of this chapter relating to corrupt practices in elections, the secretary of the commonwealth or the city clerk, as the case may be, shall notify the attorney-general thereof and shall furnish him with copies of all papers relating thereto, and the attorney-general, within two months thereafter, shall examine every such case, and if he is satisfied that there is cause, he shall in the name of the commonwealth institute appropriate civil proceedings or refer the case to the proper district attorney for such action as may be appropriate in the criminal courts.

Section 366. The supreme judicial court or the superior court may compel any person who fails to file a statement as above required, or who files a statement which does not conform to the foregoing requirements in respect to its truth, sufficiently in detail, or otherwise, to file a sufficient statement, upon the application of the attorney-general or district attorney or petition of any candidate voted for, or of any five persons qualified to vote at the election on account of which the expenditures, or any part thereof, were made or are alleged to have been made. Such petition shall be filed within sixty days after such election, if the statement was filed within the thirty days required, but a petition may be filed

within thirty days of any payment not included in the statement so filed. Proceedings under this section shall be advanced upon the request of either party for speedy trial. No petition brought under this act shall be discontinued without the consent of the attorney-general.

Section 367. No person who is called to testify in any proceedings under the preceding section shall be liable to criminal prosecution under this act or otherwise for any matters or causes in respect of which he shall be examined or to which his testimony shall relate, except to prosecution for perjury committed in such testimony.

Section 368. All statements shall be preserved for fifteen months after the election to which they relate, and shall, under reasonable regulations, be open to public inspection.

Section 369. Every payment required to be accounted for shall, unless the total expense payable to any one person is less than five dollars, be vouched for by a receipted bill stating the particulars of expense, and every voucher, receipt or account hereby required shall be preserved for six months after the election to which it relates.

Section 370. The secretary of the commonwealth shall at the expense of the commonwealth furnish to the city and town clerks, and in Boston to the election commissioners, blanks in form approved by the secretary and by the attorney-general, suitable for the statements required by law. Or the receipt of a list of candidates for public office before a caucus or primary, or upon the filing of a nomination before a municipal election, the election commissioners in Boston, and the clerk of any other city or the town clerk shall transmit to the candidate or candidates put in nomination, and to the treasurers of political committees, the blanks above described. Upon the filing of a nomination before a state or national election the secretary of the commonwealth shall transmit to the candidate or candidates put in nomination, and to the treasurers of the political committees, the blanks above described. To any person required to file a statement such

blanks shall be furnished upon application therefor.

Section 371. The provisions of this act relative to corrupt practices shall apply to all public elections, except of town officers, and to elections by the general court and by city councils, and by either branch thereof, to the nomination by primaries, caucuses and conventions and nomination papers of candidates to be voted for at such elections. The term "political committee" as defined in section one, and sections three hundred and forty-eight and three hundred and fifty shall not apply to the proprietors and publishers of publications issued at regular intervals, in respect to the ordinary conduct of their business.

Inquests on Election Cases.

Section 372. Upon a complaint subscribed and sworn to by any person before a police, district or municipal court or a trial justice, alleging that reasonable grounds exist for believing that any law relating to the assessment, qualification or registration of voters, or to voting lists or ballots, or to primaries, caucuses, conventions and elections, or to any matters pertaining thereto, has been violated, such court or justice may at once hold an inquest to inquire into such alleged violation of the law.

Sections 373-378. Relate to mode of procedure in inquests in election cases.

Sections 379-392. Relate to officers to be elected at state elections.

Sections 393-399. Provisions applying to town meetings.

Sections 400-422. Relate to election of town officers.

Sections 423-431. Relate to proceedings in cases of failure to elect, and vacancies in town offices.

Sections 432-433. Relate to town elections at which official ballots are used.

Penalties Upon Officers.

Section 434. An assessor or assistant assessor who knowingly enters on any list of assessed polls, or causes or allows to be entered thereon, the name of any person as a resident of a building, who is not a resident thereof, shall for each offense be punished by imprisonment for not more than six months.

Section 435. A registrar or assistant registrar who refuses or wilfully neglects to require, under section forty-seven, an applicant for registration to read the five lines from the constitution of the commonwealth in such manner as to show that he is neither prompted nor reciting from memory, or to write his name in the register, unless he is prevented by physical disability from so doing, or unless he had the right to vote on the first day of May in the year eighteen hundred and fifty-seven, or distinctly to announce the name of an applicant for registration before entering his name upon the register, or who knowingly prevents or seeks to prevent the registration of any legal voter, or who knowingly registers the name of any person not qualified to vote, or who is guilty of any fraud or corrupt conduct in the execution of the duties of his office, shall be punished by imprisonment for not more than six months.

Section 436. A member of the listing board or a police officer in Boston who knowingly enters on any list of male persons or woman voters, or causes, or allows to be entered thereon, the name of any person as a resident of a building, who is not a resident thereof, shall for each offense be punished by imprisonment for not more than one year.

Section 437. A member of the listing board or a police officer in Boston upon whom a duty is imposed by this act, who refuses or wilfully neglects or wilfully fails to perform such duty, or who wilfully performs it contrary to law, shall for each offense, if no other penalty is specifically imposed therefor, be punished by imprisonment for not more than one year.

Section 438. An officer of a primary, caucus or convention

who knowingly makes any false count of ballots or votes, or makes any false statement or declaration of the result of a ballot or vote, or knowingly refuses to receive any ballot offered by a person qualified to vote at such primary, caucus or convention, or wilfully alters, defaces or destroys any ballots cast, or voting lists used thereat, before the requirements of this act have been complied with, or declines or wilfully fails to receive any written request made as therein required, or declines or wilfully fails to perform any duty or obligation imposed thereby shall be punished by imprisonment for not more than three months.

Any such presiding officer, secretary or clerk of a caucus who wilfully neglects or refuses to comply with the requirements of section one hundred and fifty-five shall be punished by a fine of not more than fifty dollars for each offense.

Section 439. A caucus officer who violates any of the provisions of section one hundred and forty-six shall be punished by imprisonment for not more than one year.

Section 440. A supervisor appointed under section two hundred and forty, violating any provision thereof, shall be punished by imprisonment for not more than one year.

Section 441. An election officer who, before the public declaration of the vote at an election, makes any statement of the number of ballots cast, of the number of votes given for any person, of the name of any person who has voted, of the name of any person which has not been voted on, or of any other fact tending to show the state of the polls, shall be punished by imprisonment for not more than thirty days.

Section 442. A presiding officer at a caucus, primary or state or city election, or at an election in a town at which official ballots are used, who, when the right of a person offering to vote is challenged for any legal cause, wilfully or negligently fails to require the name and residence of such person to be written upon the ballot offered by him, and to add thereto the name of the person challenging and the assigned cause,

before such ballot is received, shall be punished by imprisonment for not more than one year.

Section 443. A primary, election or other officer whose duty it is to recount the ballots cast at a primary or election, who makes any statement or gives any information in regard to a ballot cast by a voter challenged at such primary or election, except as required by law, shall be punished by imprisonment for not more than one year.

Section 444. A presiding officer who, at a town election at which official ballots are not used, before the polls are closed and without the consent of a voter, reads or examines or permits to be read or examined, the names written or printed on the ballot of such voter, in order to ascertain the persons voted for by him, shall be punished by imprisonment for not more than thirty days.

Section 445. A primary or election officer who wilfully or negligently violates any provision relating to the enclosing in envelopes, sealing, indorsing and delivering or transmitting of ballots and voting lists, after the votes have been counted and recorded, shall be punished by imprisonment for not more than one year.

Section 446. A city or town clerk or an election commissioner who examines or permits to be examined, except as required by law, ballots cast at an election which are received and retained by him under section three hundred and six, shall be punished by a fine of not more than two hundred dollars.

Section 447. A city or town clerk or an election commissioner who fails to make a record of votes cast at an election and to make and transmit copies of any such record, as required by this act, shall be punished by a fine of not more than two hundred dollars; but if a copy of the records is deposited in the post office within the time fixed for transmission or delivery, postpaid and properly addressed, it shall be a bar to any complaint for delinquency.

Section 448. A city or town clerk, precinct clerk or election

commissioner who wilfully signs a certificate not in accordance with the result of an election as appearing by the records and copies of records of votes cast, or by a recount of votes, shall be punished by imprisonment for not more than one year.

Section 449. A selectman who wilfully gives a certificate of election to a person voted for as representative in the general court, which is not in accordance with the declaration of the vote in open town meeting at the time of the election, or not in accordance with a recount of votes, shall be punished by imprisonment for not more than one year.

Section 450. A public officer, primary, caucus or election officer, or officer or member of a political committee or convention upon whom a duty is imposed by law, who refuses or wilfully neglects or wilfully fails to perform such duty, or who wilfully performs it contrary to law, shall for each offense, if no other penalty is herein specifically imposed therefor, be punished by a fine of not less than five nor more than one thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment. A primary or election officer in the city of Boston who knowingly permits or aids in the violation of any provisions of law relating to registration, primaries or elections, shall be punished by imprisonment in the state prison for not more than three years or in the house of correction for not less than six months.

Penalties Upon Voters.

Section 451. Whoever at a primary or caucus votes or attempts to vote, knowing that he is not entitled so to do, or votes or attempts to vote upon any name other than his own, or more than once on his own name, or casts or attempts to cast more than one ballot, or places any distinguishing mark upon a ballot, or makes a false statement as to his ability to mark his ballot, or unlawfully allows the marking of his ballot to be seen by any person, or gives a false answer to, or makes a false oath before, a presiding officer, shall be punished by imprisonment for not more than six months.

Section 452. A voter who violates any of the provisions of

section one hundred and forty-six shall be punished by imprisonment for not more than one year.

Section 453. A voter who, at a primary or election, places any distinguishing mark upon his ballot shall be punished by imprisonment for not more than six months.

Section 454. A voter who makes a false statement as to his inability to mark a ballot, or who except for the purpose of obtaining assistance under section two hundred and ninety-four, allows his ballot to be seen by any person with an intention of indicating how he is about to vote shall be punished by a fine of not more than one hundred dollars.

Section 455. Whoever at a primary or election, knowing that he is not a qualified voter in the place where he votes or attempts to vote, wilfully votes or attempts to vote thereat; whoever at a primary or election votes or attempts to vote more than once on his own name, his name having been registered more than once; whoever at a primary or election votes or attempts to vote in more than one voting precinct or town, his name having been registered in more than one voting precinct or town; whoever at a primary or election votes or attempts to vote on any other name than his own, or knowingly casts or attempts to cast more than one ballot at one time of balloting; whoever at a primary or election votes or attempts to vote otherwise illegally; or whoever aids or abets any other person in doing any of the acts above mentioned, shall be punished by imprisonment for not more than one year.

Section 456. Whoever at a primary or election wilfully gives a false answer to a presiding officer shall be punished by a fine of not more than one hundred dollars.

General Penalties.

Section 457. Whoever, being an inmate of a building and liable to be assessed for a poll tax, refuses or neglects to give his true name when asked by an assessor or assistant assessor, or whoever, being an owner or occupant of a building, refuses or neglects to give the full and true information within his knowledge relating to all persons residing in such building,

when asked by an assessor or assistant assessor, shall be punished by imprisonment for not more than three months.

Section 458. Whoever in Boston, being an inmate of a building and a male resident twenty years of age or upward, refuses or neglects to give his true name, when asked by a member of the listing board or a police officer acting under this act, or whoever, being an owner or occupant of a building, or a clerk, superintendent, manager or other person having in charge the affairs of a hotel or lodging house, refuses or neglects to give the full and true information within his knowledge relating to all persons residing in such building, when asked by a member of the listing board or a police officer acting under this act, shall be punished by imprisonment for not more than three months.

Section 459. Whoever, knowingly gives to an assessor or assistant assessor, for the purpose of the assessment of a poll tax, or in Boston to a member of the listing board or a police officer, for the purpose of making a list of male residents twenty years of age or upwards or women voters, the name of any person as a resident of a building, who is not a resident therein, shall be punished by imprisonment for not more than one year.

Section 460. Whoever knowingly or wilfully makes a false affidavit, takes a false oath or signs a false certificate relative to the qualifications of any person for assessment or registration, or in Boston for being listed or given a certificate by the listing board, shall be punished by imprisonment for not more than one year.

Section 461. Whoever in Boston aids or abets a person in knowingly or wilfully making a false affidavit, taking a false oath or signing a false certificate, relative to the qualifications of any person for being listed as a resident thereof or given a certificate of such residence by the listing board, shall be punished by imprisonment for not more than one year.

Section 462. Whoever causes or attempts to cause his name to be registered, knowing that he is not a qualified voter in the

place of such registration or attempted registration; whoever registers or attempts to register under a name other than his own; whoever represents or attempts to represent himself as some other person to any election commissioner, registrar or assistant registrar respecting any matter relating to his registration or his right to vote; whoever otherwise illegally registers or attempts to register; or whoever aids or abets any other person in doing any of the acts above mentioned, shall be punished by imprisonment for not more than one year.

Section 463. Whoever refuses to obey the lawful orders or directions of an election commissioner, a registrar or assistant registrar, or interrupts or disturbs the proceedings at any registration shall be punished by a fine of not more than one hundred dollars.

Section 464. Whoever interferes with, or aids or abets any person in interfering with, any supervisor of registration in the performance of his duty, shall be punished by imprisonment for not more than one year.

Section 465. Whoever wilfully defaces or removes a notice relating to the registration of voters, or a voting list or notice or warrant for a primary or election posted in a city or town shall be punished by imprisonment for not more than one year.

Section 466. Whoever aids or abets a person, who is not entitled to vote, in voting or attempting to vote at a primary or caucus, or in voting or attempting to vote under a name other than his own, or in casting or attempting to cast more than one ballot, or wilfully and without lawful authority hinders, delays or interferes with, or aids in hindering, delaying or interfering with a voter while on his way to a primary or caucus, while marking his ballot or while voting or attempting to vote, or endeavors to induce a voter to show his ballot, shall be punished by imprisonment for not more than one year.

Section 467. Whoever alters a ballot cast at a primary or caucus or, not being authorized thereto, deposits in a ballot box or envelope used at a primary or caucus, or removes a

ballot from such ballot box or envelope, shall be punished by imprisonment for not more than three years.

Section 468. Whoever falsely makes or wilfully alters, defaces, mutilates, destroys or suppresses a certificate of nomination or nomination paper, or letter of withdrawal of a name from such paper, or unlawfully signs any such certificate, paper or letter, or files any such certificate, paper or letter, knowing the same to be falsely made or altered, shall be punished by imprisonment for not more than one year.

Section 469. Whoever as a notary public, justice of the peace or other magistrate takes the oath of a signer to a nomination paper without satisfying himself that the person to whom the oath is administered is the signer of such nomination paper, or who shall fail to state in his attestation of such oath that he is so satisfied, shall be punished by a fine of not less than ten or more than fifty dollars.

Section 470. Whoever intentionally writes, prints, posts or distributes, or causes to be written, printed, posted or distributed, a circular or poster which is designed or tends to injure or defeat any candidate for nomination or election to any public office, by criticising his personal character or political action, or which is designed or tends to aid, injure, or defeat a constitutional amendment or any other question submitted to the voters, unless there appears upon such circular or poster in a conspicuous place either the names of the chairman and secretary, or of two officers of the political or other organization issuing the same, or of some voter who is responsible therefor, with his name and residence, and the street and number thereof if any, shall be punished by imprisonment for not more than six months.

Section 471. Whoever wilfully obstructs or interferes with the transmission of ballots or returns to or from a polling place shall be punished by imprisonment for not more than one year.

Section 472. Whoever posts, exhibits, circulates or distributes any poster, card, handbill, placard, picture or circular,

except a paster to be placed upon the official ballot, intended to influence the action of a voter, in the polling place, in the building in which the polling place is located or on the walls thereof, on the premises on which the building stands, or on the sidewalk adjoining said premises, or within one hundred and fifty feet of the entrance to such polling place, shall be punished by a fine of not more than twenty dollars.

Section 473. Whoever wilfully or maliciously injures or destroys a ballot box or any of the blank forms or apparatus furnished to a city or town under sections two hundred and forty-three and two hundred and forty-four, shall be punished by imprisonment for not more than one year.

Section 474. Any person who shall tamper with or injure or attempt to injure any voting machine or ballot box to be used or being used in an election, or who shall prevent or attempt to prevent the correct operation of such machine or box, or any unauthorized person who shall make or have in his possession a key to a voting machine or ballot box to be used or being used in an election, shall be guilty of a felony and shall be punished by a fine of not less than one hundred dollars or more than five hundred dollars, or by imprisonment in the state prison for not less than one year or more than five years, or by both such fine and imprisonment.

Section 475. Whoever refuses or wilfully neglects to comply with any regulation made by the election commissioners, aldermen or selectmen relative to the manner of receiving, counting and returning votes cast at a primary or election, or relative to the use of seals and ballot boxes, shall be punished by imprisonment for not more than six months.

Section 476. Whoever interferes, or aids or abets any person in interfering with an election commissioner, city or town clerk, or election officer, in the performance of his duties shall be punished by imprisonment for not more than one year.

Section 477. Whoever prevents a supervisor of elections from doing any of the acts authorized by section two hundred and forty of this act, or hinders or molests him in doing any

such acts, or aids or abets in preventing, hindering or molesting him in doing any of such acts, shall be punished by imprisonment for not more than one year.

Section 478. Whoever prints or distributes a ballot for use in the election of moderator at a town meeting in violation of section four hundred and ten, shall be punished by imprisonment for not more than sixty days.

Section 479. Whoever, before a primary or election, wilfully defaces or destroys any list of candidates posted under the provisions of this act, or, during a primary, caucus or election, wilfully defaces, tears down, removes or destroys any card of instruction or specimen ballot posted for the instruction of voters, or during a primary, caucus or election, wilfully removes or destroys any of the supplies or conveniences furnished to enable a voter to prepare his ballot, shall be punished by a fine of not more than one hundred dollars.

Section 480. Whoever forges or falsely makes the official indorsement on any ballot, or wilfully destroys or defaces a ballot, or wilfully delays the delivery of any ballots, shall be punished by imprisonment for not more than one year.

Section 481. Whoever wilfully and without lawful authority obstructs or delays a voter while on his way to the polling place where he is entitled to vote or while he is voting or attempting to vote, or aids or assists in any such obstruction or delay, shall be punished by imprisonment for not more than one year.

Section 482. Whoever interferes or attempts to interfere with a voter while he is marking his ballot or is within the space enclosed by the guard rail, or endeavors to induce a voter, before he has voted, to show how he marks or has marked his ballot, shall be punished by a fine of not more than one hundred dollars.

Section 483. Whoever wilfully obstructs the voting at a primary or election shall be punished by a fine of not more than one hundred dollars.

Section 484. Whoever aids or abets a person who is not

qualified to vote at a primary or election in voting or attempting to vote, or aids or abets a person in voting or attempting to vote under a name other than his own, or in casting or attempting to cast more than one ballot at one time of balloting, shall be punished by imprisonment for not more than one year.

Section 485. Whoever places a mark against a name on a ballot not cast by himself, or places a distinguishing mark on a ballot not cast by himself, except as authorized by law, shall be punished by imprisonment in jail for not more than three years.

Section 486. Whoever, with intent to defraud, alters a ballot cast at a primary or election; or, with such intent, deposits a ballot in the ballot box used at a primary or election, or in an envelope provided by law for the preservation of ballots cast at a primary or election; or, with such intent, removes a ballot from any such ballot box or envelope, shall be punished by imprisonment in jail for not more than three years.

Section 487. Whoever removes a ballot from the space enclosed by the guard rail before the close of the polls shall be punished by imprisonment for not more than one year.

Section 488. An owner, superintendent or overseer in any manufacturing, mechanical or mercantile establishment, who employs or permits to be employed therein any person entitled to vote at a state election, during the period of two hours after the opening of the polls in the voting precinct or town in which such person is entitled to vote, if he shall make application for leave of absence during such period, shall be punished by a fine of not more than one hundred dollars.

Section 489. Whoever, by threatening to discharge a person from his employment or to reduce his wages, or by promising to give him employment at higher wages attempts to influence a voter to give or to withhold his vote at an election, or whoever, because of the giving or withholding of a vote at an election, discharges a person from his employment or reduces his

wages, shall be punished by imprisonment for not more than one year.

Section 490. Whoever pays or gives, or directly or indirectly promises to a voter any gift or reward to influence his vote or to induce him to withhold his vote, shall be punished by imprisonment for not more than one year.

Section 491. Whoever, at a primary, caucus or election, behaves in a disorderly manner, and, after notice from the presiding officer, persists in such behavior and refuses to withdraw from the polling place, shall be punished by imprisonment for not more than thirty days.

Section 492. Whoever wilfully disobeys any lawful command of an election, caucus or primary officer shall be punished by imprisonment for not more than thirty days.

Section 493. Whoever, when so ordered by the presiding officer of an election, caucus, primary or meeting, refuses or fails to remove any pipe, cigar, cigarette or liquor, or to withdraw from the polling place, as provided in section* two hundred and eighty-eight, shall be punished by a fine of not more than twenty dollars.

Section 494. Whoever gives any information derived from a recount of votes, relative to a ballot cast by a challenged voter at an election, caucus or primary, shall be punished by imprisonment for not more than one year.

Section 495. Whoever violates the provisions of section three hundred and fifty-two relative to obtaining nomination papers shall be punished by a fine of not more than one hundred dollars.

*Section 288. Any person who, during an election or town meeting, shall, in a polling place or place of such meeting, smoke or have in his possession a lighted pipe, cigar or cigarette, or carry into any such place or keep therein any intoxicating liquor, shall be deemed guilty of disorderly conduct; and the presiding officer shall order him to remove such pipe, cigar, cigarette or liquor, or to withdraw from such place, and for disobedience of such order shall cause him to be removed from such polling place or meeting.

Section 496. Any corporation violating the provisions of section three hundred and fifty-three shall be punished by a fine of not more than ten thousand dollars, and any officer, director or agent of a corporation violating any provision of said section or authorizing such violation, or any person who violates or in any way knowingly aids or abets the violation of any provisions of said section shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than six months.

Section 497. Whoever is convicted of wilfully violating any provision of law relating to corrupt practices in elections shall be deemed ineligible to hold public office for three years following the date of his conviction.

Section 498. If a person elected to public office is convicted of any wilful violation of the law relating to corrupt practices in connection with the primary election at which he was nominated or elected, his office shall thereby be vacated, and a new election shall be held for the purpose of filling the same.

Section 499. Any corporation which violates any provision of sections three hundred and fifty-four to three hundred and fifty-six inclusive shall be punished by a fine of not more than ten thousand dollars, and any officer, director or agent of a corporation violating any such provision, who authorized such violation, or any person who violates, or in any way knowingly aids or abets the violation of, any such provision, shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year.

Section 500. Whoever violates any provision of section three hundred and fifty-eight shall be punished by a fine not exceeding one hundred dollars, or by imprisonment for not exceeding three months, or by both such fine and imprisonment.

Section 501. Whoever violates any provisions of law relating to corrupt practices in elections the punishment for which is not specially determined by law, shall be punished by

imprisonment for not more than one year or by a fine of not more than one thousand dollars.

Section 502. The supreme judicial court and the superior court shall have jurisdiction at law or in equity or by mandamus to enforce the provisions of this act. Police officers and constables shall arrest without a warrant any person detected in the act of violating the caucus, primary or election laws. A prosecution for the violation of any provision of this act shall not, unless the purpose of justice require such disposition, be placed on file or disposed of except by trial and judgment according to the regular course of criminal proceedings. It shall be disposed of otherwise only upon motion in writing stating specifically the reasons therefor and verified by affidavit if facts are relied on. If the court of magistrate certifies in writing that he is satisfied that the cause relied on exists and that the interests of public justice require the allowance of the motion the motion shall be allowed and the certificate of the court or magistrate shall be filed in the case.

Section 503. Repeals former statutes.

Provisions of This Act Explained.

Section 504. The provisions of this act, so far as they are the same as those of existing statutes, shall be construed as continuations thereof and not as new enactments, and a reference in a statute which has not been repealed to provisions of law which have been revised and re-enacted herein shall be construed as applying to such provisions as so incorporated in this act; they shall not affect any act done, liability incurred, or any right accrued and established or any suit or prosecution, civil or criminal, pending or to be instituted, to enforce any right or penalty or to punish any offense under the authority of existing laws, but the proceedings in such cases shall conform to the provisions of this act.

APPENDIX.

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CONGRESSIONAL DISTRICTS

As Established by Chapter 674, Acts of 1912.

DISTRICT NUMBER ONE.

The cities of North Adams and Pittsfield, and the several towns in the county of Berkshire; the towns of Ashfield, Buckland, Charlemont, Colrain, Conway, Greenfield, Hawley, Heath, Leyden, Monroe, Rome and Shelburne in the county of Franklin; the towns of Chesterfield, Cummington, Goshen, Huntington, Middlefield, Plainfield, Southampton, Westhampton and Worthington in the county of Hampshire; and the city of Holyoke, and the towns of Blandford, Chester, Granville, Montgomery, Russell, Southwick, Tolland and Westfield in the county of Hampden.

DISTRICT NUMBER TWO.

The towns of Bernardston, Deerfield, Erving, Gill, Leverett, Montague, Northfield, Shutesbury, Sunderland, Warwick, Wendell and Whately in the county of Franklin; the city of Northampton, and the towns of Amherst, Belchertown, Easthampton, Enfield, Granby, Hadley, Hatfield, Pelham, South Hadley, Ware and Williamsburg in the county of Hampshire; and the cities of Chicopee and Springfield, and the towns of Agawam, East Longmeadow, Hampden, Longmeadow, Ludlow, West Springfield and Wilbraham in the county of Hampden.

DISTRICT NUMBER THREE.

The towns of New Salem and Orange in the county of Franklin; the towns of Brimfield, Holland, Monson, Palmer and Wales in the county of Hampden; the towns of Greenwich and Prescott in the county of Hampshire; the towns of Ashby and Townsend in the county of Middlesex; and the city of Fitchburg, and the towns of Ashburnham, Athol, Barre, Boylston, Brookfield, Charlton, Clinton, Dana, Dudley, Gardner, Hardwick, Holden, Hubbardston, Lancaster, Leicester, Leominster, Lunenburg, New Braintree, North Brookfield, Oakham, Oxford, Paxton, Petersham, Phillipston, Princeton, Royalston, Rutland, Southbridge, Spencer, Sterling, Sturbridge, Templeton, Warren, Webster, West Boylston, West Brookfield, Westminster and Winchendon, in the county of Worcester.

DISTRICT NUMBER FOUR.

The city of Worcester, and the towns of Auburn, Blackstone, Douglas, Grafton, Hopedale, Mendon, Milford, Millbury, Northbridge, Shrewsbury, Sutton, Upton, Uxbridge and Westborough in the county of Worcester; and the town of Hopkinton in the county of Middlesex.

CONGRESSIONAL DISTRICTS

DISTRICT NUMBER FIVE.

The towns of Andover and Methuen in the county of Essex; the cities of Lowell and Woburn, and the towns of Acton, Ayer, Bedford, Billerica, Boxborough, Burlington, Carlisle, Chelmsford, Concord, Dracut, Dunstable, Groton, Hudson, Lincoln, Littleton, Maynard, Pepperell, Reading, Shirley, Stow, Tewksbury, Tyngsborough, Westford and Wilmington in the county of Middlesex; and the towns of Berlin, Bolton, Harvard and Northborough.

DISTRICT NUMBER SIX.

The cities of Beverly, Gloucester, Haverhill, Newburyport and Salem, and the towns of Amesbury, Danvers, Essex, Georgetown, Groveland, Hamilton, Ipswich, Manchester, Marblehead, Merrimac, Newbury, Rockport, Rowley, Salisbury, Swampscott, Topsfield, Wenham and West Newbury in the county of Essex.

DISTRICT NUMBER SEVEN.

The cities of Lawrence and Lynn, and the towns of Boxford, Lynnfield, Middleton, Nahant, North Andover, Peabody and Saugus in the county of Essex; and the town of North Reading in the county of Middlesex.

DISTRICT NUMBER EIGHT.

The cities of Cambridge, Medford and Melrose, and the towns of Arlington, Belmont, Lexington, Stoneham, Wakefield, Watertown and Winchester in the county of Middlesex.

DISTRICT NUMBER NINE.

The cities of Everett, Malden and Somerville in the county of Middlesex; and the city of Chelsea, and the towns of Revere and Winthrop in the county of Suffolk.

DISTRICT NUMBER TEN.

The wards numbered one, two, three, four, five, six, seven, eight, nine, and precincts one and two of the ward numbered eleven in the city of Boston in the county of Suffolk.

DISTRICT NUMBER ELEVEN.

The ward numbered ten, precincts three, four, five, six, seven, eight, and nine of the ward numbered eleven, and the wards numbered twelve, eighteen, nineteen, twenty-one, twenty-two and twenty-three in the city of Boston in the county of Suffolk.

CONGRESSIONAL DISTRICTS

DISTRICT NUMBER TWELVE.

The wards numbered thirteen, fourteen, fifteen, sixteen, seventeen, twenty and twenty-four in the city of Boston in the county of Suffolk.

DISTRICT NUMBER THIRTEEN.

The ward numbered twenty-five in the city of Boston in the county of Suffolk; the towns of Bellingham, Brookline, Dover, Franklin, Medfield, Medway, Millis, Needham, Norfolk, Plainville, Walpole, Wellesley and Wrentham in the county of Norfolk; the cities of Marlborough, Newton and Waltham, and the towns of Ashland, Framingham, Holliston, Natick, Sherborn, Sudbury, Wayland and Weston in the county of Middlesex; and the town of Southborough in the county of Worcester.

DISTRICT NUMBER FOURTEEN.

The town of Easton in the county of Bristol; the city of Quincy, and the towns of Avon, Braintree, Canton, Dedham, Foxborough, Holbrook, Milton, Norwood, Randolph, Sharon, Stoughton, Westwood and Weymouth in the county of Norfolk; the city of Brockton and the towns of Abington, Rockland, East Bridgewater, West Bridgewater and Whitman, in the county of Plymouth; and the ward numbered twenty-six in the city of Boston in the county of Suffolk.

DISTRICT NUMBER FIFTEEN.

The cities of Fall River and Taunton and the towns of Attleborough, Berkley, Dighton, Freetown, Mansfield, North Attleborough, Norton, Raynham, Rehoboth, Seekonk, Somerset, Swansea and Westport in the county of Bristol; and the town of Lakeville in the county of Plymouth.

DISTRICT NUMBER SIXTEEN.

The towns of Barnstable, Bourne, Brewster, Chatham, Dennis, Eastham, Falmouth, Harwich, Mashpee, Orleans, Provincetown, Sandwich, Truro, Wellfleet and Yarmouth in the county of Barnstable; the city of New Bedford, and the towns of Acushnet, Dartmouth, and Fairhaven in the county of Bristol; the towns of Bridgewater, Carver, Duxbury, Halifax, Hanover, Hanson, Hingham, Hull, Kingston, Marion, Marshfield, Mattapoisett, Middleborough, Norwell, Pembroke, Plymouth, Plympton, Rochester, Scituate and Wareham in the county of Plymouth; town of Cohasset in the county of Norfolk; the several towns in the county of Dukes; and the county of Nantucket.

COUNCILLOR DISTRICTS

As Established by Chapter 497 of the Acts of 1906.

DISTRICT NUMBER ONE.

The Cape, First and Second Plymouth, and the Second and Third Bristol Senatorial Districts.

CAPE DISTRICT.—Barnstable, Bourne, Brewster, Chatham, Dennis, Eastham, Falmouth, Harwich, Mashpee, Orleans, Provincetown, Sandwich, Truro, Wellfleet and Yarmouth, in the County of Barnstable; and Chilmark, Oak Bluffs, Edgartown, Gay Head, Gosnold, Tisbury, and West Tisbury, in the County of Dukes and County of Nantucket.

PLYMOUTH DISTRICTS.—Abington, Bridgewater, Brockton, Carver, Cohasset (Norfolk County), Duxbury, East Bridgewater, Halifax, Hanover, Hanson, Hingham, Hull, Kingston, Lakeville, Marion, Marshfield, Mattapoisett, Middleborough, Norwell, Pembroke, Plymouth, Plympton, Rochester, Rockland, Scituate, Wareham, West Bridgewater and Whitman.

BRISTOL DISTRICTS.—Acushnet, Dartmouth, Fairhaven, Fall River, Freetown, New Bedford, Somerset, Swansea and Westport.

DISTRICT NUMBER TWO.

The First Bristol, First and Second Norfolk, and Eighth and Ninth Suffolk Senatorial Districts.

BRISTOL DISTRICT.—Attleborough, Berkley, Dighton, Easton, Mansfield, North Attleborough, Norton, Raynham, Rehoboth, Seekonk, and Taunton.

NORFOLK DISTRICTS.—Avon, Bellingham, Braintree, Brookline, Canton, Dedham, Dover, Foxborough, Franklin, Holbrook, *Hyde Park, Medfield, Medway, Millis, Milton, Needham, Norfolk, Norwood, Plainville, Quincy, Randolph, Sharon, Stoughton, Walpole, Wellesley, Westwood, Weymouth, and Wrentham.

SUFFOLK DISTRICTS.—Wards Nos. 20, 21, 23 and 24, Boston.

*Hyde Park annexed to Boston (Ward 26) in 1911.

COUNCILLOR DISTRICTS

DISTRICT NUMBER THREE.

The Second, Third, Fourth, Sixth and Seventh Suffolk Senatorial Districts.

SUFFOLK DISTRICTS.—Wards Nos. 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19 and 22, Boston, and Wards 1, 2, 3 and 4, Cambridge.

DISTRICT NUMBER FOUR.

The First and Fifth Suffolk and the Second, Third and Fourth Middlesex Senatorial Districts.

SUFFOLK DISTRICTS.—Chelsea, Revere and Winthrop and Wards 1, 10, 11, 25, Boston.

MIDDLESEX DISTRICTS.—Wards 5, 6, 7, 8, 9, 10, 11, Cambridge, Everett, Malden, Melrose and Somerville.

DISTRICT NUMBER FIVE.

The First, Second, Third, Fourth and Fifth Essex Senatorial Districts.

ESSEX DISTRICTS.—Andover, Amesbury, Beverly, Boxford, Danvers, Essex, Georgetown, Gloucester, Groveland, Hamilton, Haverhill, Ipswich, Lawrence, Wards Nos. 1, 2, 3, 4, 5 and 7, Lynn, Manchester, Marblehead, Merrimac, Methuen, Middleton, Nahant, Newbury, Newburyport, North Andover, Peabody, Rockport, Rowley, Salem, Salisbury, Swampscott, Topsfield, Wenham and West Newbury in the County of Essex.

DISTRICT NUMBER SIX.

The First, Fifth, Sixth, Seventh and Eighth Middlesex Senatorial Districts.

MIDDLESEX DISTRICTS.—Acton, Arlington, Ashby, Ashland, Ayer, Bedford, Belmont, Billerica, Boxborough, Burlington, Carlisle, Chelmsford, Concord, Dracut, Dunstable, Framingham, Groton, Holliston, Hopkinton, Hudson, Lexington, Lincoln, Littleton, Lowell, Ward 6, Lynn, Lynnfield, Marlborough, Maynard, Medford, Natick, Newton, North Reading, Pepperell, Reading, Saugus, Sherborn, Shirley, Stoneham, Stow, Sudbury, Tewksbury, Townsend, Tyngsborough, Wakefield, Waltham, Waverlytown, Wayland, Westford, Weston, Wilmington, Winchester and Woburn.

COUNCILLOR DISTRICTS

DISTRICT NUMBER SEVEN.

The First, Second, Third and Fourth Worcester and the Worcester and Hampden Senatorial Districts.

WORCESTER DISTRICTS.—Ashburnham, Athol, Auburn, Berlin, Blackstone, Bolton, Boylston, Clinton, Douglas, Fitchburg, Gardner, Grafton, Harvard, Holden, Hopedale, Lancaster, Leominster, Lunenburg, Mendon, Milford, Millbury, Northborough, Northbridge, Oxford, Royalston, Shrewsbury, Southborough, Sterling, Sutton, Upton, Uxbridge, Webster, Westborough, West Boylston, Westminster, Winchendon and Worcester.

WORCESTER AND HAMPDEN DISTRICTS.—Barre, Brimfield, Brookfield, Charlton, Dana, Dudley, Hampden, Hardwick, Holland, Hubbardston, Leicester, Ludlow, Monson, New Braintree, North Brookfield, Oakham, Palmer, Paxton, Petersham, Philipston, Princeton, Rutland, Southbridge, Spencer, Sturbridge, Templeton, Wales, Warren, West Brookfield and Wilbraham.

DISTRICT NUMBER EIGHT.

The Berkshire, Berkshire, Hampshire and Hampden, Franklin and Hampshire and the First and Second Hampden Senatorial Districts.

BERKSHIRE DISTRICT.—Adams, Cheshire, Clarksburg, Dalton, Florida, Hancock, Hinsdale, Lanesborough, New Ashford, North Adams, Peru, Pittsfield, Savoy, Williamstown, Windsor.

BERKSHIRE, HAMPSHIRE and HAMPDEN DISTRICT.—Agawam, Alford, Becket, Blanford, Chester, Chesterfield, Cummington, Easthampton, East Longmeadow, Egremont, Goshen, Great Barrington, Granville, Hatfield, Huntington, Lee, Lenox, Longmeadow, Middlefield, Monterey, Montgomery, Mount Washington, New Marlborough, Northampton, Otis, Plainfield, Richmond, Russell, Sandisfield, Sheffield, Southampton, Southwick, Stockbridge, Tolland, Tyringham, Washington, Westhampton, West Stockbridge, Williamsburg, and Worthington.

FRANKLIN AND HAMPSHIRE DISTRICT.—Amherst, Ashfield, Belchertown, Bernardston, Buckland, Charlemont, Colrain, Conway, Deerfield, Enfield, Erving, Gill, Granby, Greenfield, Greenwich, Hadley, Hawley, Heath, Leverett, Leyden, Monroe, Montague, New Salem, Northfield, Orange, Pelham, Prescott, Rowe, Shelburne, Shutesbury, South Hadley, Sunderland, Ware, Warwick, Wendell and Whately.

HAMPDEN DISTRICTS.—Chicopee, Holyoke, Springfield, Westfield and West Springfield.

SENATORIAL DISTRICTS

As Established by Chapter 497 of the Acts of 1906.

BERKSHIRE DISTRICT.—Adams, Cheshire, Clarksburg, Dalton, Florida, Hancock, Hinsdale, Lanesborough, New Ashford, North Adams, Pittsfield, Peru, Savoy, Williamstown and Windsor in Berkshire County.

BERKSHIRE, HAMPSHIRE AND HAMPDEN DISTRICT.—Alford, Becket, Egremont, Great Barrington, Lee, Lenox, Monterey, Mount Washington, New Marlborough, Otis, Richmond, Sandisfield, Sheffield, Stockbridge, Tyringham, Washington, and West Stockbridge, in the County of Berkshire; Chesterfield, Cummington, Easthampton, Goshen, Hatfield, Huntington, Middlefield, Northampton, Plainfield, Southampton, Westhampton, Williamsburg, and Worthington, in the County of Hampshire; and Agawam, Blandford, Chester, East Longmeadow, Granville, Longmeadow, Montgomery, Russell, Southwick and Tolland in Hampden County.

FIRST BRISTOL DISTRICT.—Attleborough, Berkley, Dighton, Easton, Mansfield, North Attleborough, Norton, Raynham, Rehoboth, Seekonk and Taunton.

SECOND BRISTOL DISTRICT.—Fall River, Somerset and Swansea.

THIRD BRISTOL DISTRICT.—Acushnet, Dartmouth, Fairhaven, Freetown, New Bedford and Westport.

CAPE DISTRICT.—Barnstable, Bourne, Brewster, Chatham, Dennis, Eastham, Falmouth, Harwich, Mashpee, Orleans, Provincetown, Sandwich, Truro, Wellfleet and Yarmouth, in the County of Barnstable; Chilmark, Oak Bluffs, Edgartown, Gay Head, Gosnold, Tisbury and West Tisbury, in the County of Dukes County, and Nantucket.

FIRST ESSEX DISTRICT.—Wards 1, 2, 3, 4, 5, 7 in Lynn, Nahant and Swampscott.

SECOND ESSEX DISTRICT.—Beverly, Danvers, Marblehead and Salem.

THIRD ESSEX DISTRICT.—Essex, Gloucester, Hamilton, Ipswich, Manchester, Newburyport, Newbury, Rockport, Rowley, Salisbury, Topsfield, Wenham and West Newbury.

FOURTH ESSEX DISTRICT.—Amesbury, Boxford, Georgetown, Groveland, Haverhill, Merrimac, Middleton and Peabody.

FIFTH ESSEX DISTRICT.—Andover, Lawrence, North Andover and Methuen.

SENATORIAL DISTRICTS

FRANKLIN AND HAMPSHIRE DISTRICT.—Ashfield, Bernardston, Buckland, Charlemont, Colrain, Conway, Deerfield, Erving, Gill, Greenfield, Hawley, Heath, Leverett, Leyden, Monroe, Montague, New Salem, Northfield, Orange, Rowe, Shelburne, Shutesbury, Sunderland, Warwick, Wendell and Whately, in the County of Franklin and Amherst, Belchertown, Enfield, Granby, Greenwich, Hadley, Pelham, Prescott, South Hadley and Ware, in the County of Hampshire.

FIRST HAMPDEN DISTRICT.—The city of Springfield.

SECOND HAMPDEN DISTRICT.—Chicopee, Holyoke, Westfield and West Springfield.

FIRST MIDDLESEX DISTRICT.—Ashland, Framingham, Holliston, Hopkinton, Natick, Newton, Sherborn, Watertown and Weston.

SECOND MIDDLESEX DISTRICT.—Wards 5, 6, 7, 8, 9, 10 and 11, in Cambridge.

THIRD MIDDLESEX DISTRICT.—The city of Somerville.

FOURTH MIDDLESEX DISTRICT.—The cities of Everett, Malden and Melrose.

FIFTH MIDDLESEX DISTRICT.—Belmont, Concord, Hudson, Lexington, Lincoln, Marlborough, Maynard, Stow, Sudbury, Waltham and Wayland.

SIXTH MIDDLESEX DISTRICT.—Arlington, Medford, Stoneham, Wakefield, Winchester and Woburn.

SEVENTH MIDDLESEX DISTRICT.—Acton, Ayer, Bedford, Billerica, Boxborough, Burlington, Carlisle, Littleton, Wards 5, 9, in Lowell, North Reading, Reading, Tewksbury, Westford and Wilmington in Middlesex County and Ward 6 in Lynn, Lynnfield and Saugus in Essex County.

EIGHTH MIDDLESEX DISTRICT.—Ashby, Chelmsford, Dracut, Dunstable, Groton, Pepperell, Wards 1, 2, 3, 4, 6, 7 and 8 in Lowell, Shirley, Townsend and Tyngsborough.

FIRST NORFOLK DISTRICT.—Braintree, Canton, Holbrook, *Hyde Park, Milton, Quincy, Randolph and Weymouth.

SECOND NORFOLK DISTRICT.—Avon, Bellingham, Brookline, Dedham, Dover, Foxborough, Franklin, Medfield, Medway, Millis, Needham, Norfolk, Norwood, Plainville, Sharon, Stoughton, Walpole, Wellesley, Westwood and Wrentham.

FIRST PLYMOUTH DISTRICT.—Abington, Carver, Duxbury, East Bridgewater, Halifax, Hanover, Hanson, Hingham, Hull, Kingston, Marshfield, Norwell, Pembroke, Plymouth, Plympton, Rockland, Scituate, Whitman and Cohasset.

SENATORIAL DISTRICTS

SECOND PLYMOUTH DISTRICT.—Brockton, Bridgewater, Lakeville, Marion, Mattapoisett, Middleborough, Rochester, Wareham and West Bridgewater.

FIRST SUFFOLK DISTRICT.—Chelsea, Revere and Winthrop, and Ward 1, Boston.

SECOND SUFFOLK DISTRICT.—Wards 2, 3, 4 and 5, Boston and Wards 1, 2, 3, Cambridge.

THIRD SUFFOLK DISTRICT.—Wards 6, 7, and 8, Boston, and Ward 4, Cambridge.

FOURTH SUFFOLK DISTRICT.—Wards 9, 12 and 17, Boston.

FIFTH SUFFOLK DISTRICT.—Wards 10, 11, and 25, Boston.

SIXTH SUFFOLK DISTRICT.—Wards 13, 14, 15 and 16, Boston.

SEVENTH SUFFOLK DISTRICT.—Wards 18, 19 and 22, Boston.

EIGHTH SUFFOLK DISTRICT.—Wards 20 and 21, Boston.

NINTH SUFFOLK DISTRICT.—Wards 23 and 24, Boston.

FIRST WORCESTER DISTRICT.—Wards 4, 5, 6, 7, 8, 9 and 10 in Worcester.

SECOND WORCESTER DISTRICT.—Berlin, Bolton, Boylston, Clinton, Harvard, Holden, Lancaster, Sterling and West Boylston, Wards 1, 2 and 3 in Worcester.

THIRD WORCESTER DISTRICT.—Ashburnham, Athol, Fitchburg, Gardner, Leominster, Lunenburg, Royalston, Westminster and Winchendon.

FOURTH WORCESTER DISTRICT.—Auburn, Blackstone, Douglas, Grafton, Hopedale, Mendon, Milford, Millbury, Northborough, Northbridge, Oxford, Shrewsbury, Southborough, Sutton, Upton, Uxbridge, Webster and Westborough.

WORCESTER AND HAMPDEN DISTRICT.—Barre, Brookfield, Charlton, Dana, Dudley, Hardwick, Hubbardston, Leicester, New Braintree, North Brookfield, Oakham, Paxton, Petersham, Phillipston, Princeton, Rutland, Southbridge, Spencer, Sturbridge, Templeton, Warren and West Brookfield in Worcester County, and Brimfield, Hampden, Holland, Ludlow, Monson, Palmer, Wales and Wilbraham in Hampden County.

*Hyde Park annexed to Boston (Ward 26) in 1911.

A MAN TO VOTE AT AN ELECTION IN MASSACHUSETTS:

Must be a citizen of the United States by birth or naturalization.

(No person can be naturalized within thirty days preceding a general election.)

Must be at least twenty-one years old, although one under age can be registered if he will be of age at the time of the next election.

Must, unless he had the right to vote in this state on May 1, 1857, or is physically disabled from doing so, be able to write his name and read in English the constitution of the state.

Must have resided in the state one year, and in the city or town where he votes six months next preceding such election; but one who changes his residence within the state retains for six months the right to vote for national or state officers in the place from which he removes.

Must not be under guardianship, nor a pauper, (unless an honorably discharged veteran soldier or sailor).

Must have been assessed for a poll tax, or in Boston listed, on the preceding first of April, or, if he became a resident of a city or town after the first of April, must obtain a certificate that he has been a resident thereof for six months preceding the election.

(A person otherwise qualified who is not so assessed or listed on April 1. may be assessed or listed, or may obtain a certificate of six months' residence, as the case may be, by proving his right thereto before the assessors, or in Boston before a member of the listing board, the superintendent, a deputy superintendent or an inspector of police not later than September 1.)

Must have his name upon the list of registered voters.

The payment of any poll or other tax is not a prerequisite for registration or voting in Massachusetts.

A person qualified to vote in a city or town divided into wards or voting precincts, shall be registered and be entitled to vote in the ward or voting precinct in which he resided on the first day of April preceding the election, or, if he became an inhabitant of such city or town after such first day of April, in the ward or voting precinct in which he first became a resident.

NATURALIZATION

Naturalization papers can be taken out in the United States District Court (in Post Office Building, Boston), or in the Superior Court of the county other than Suffolk in which the applicant resides.

Aliens honorably discharged from the army, upon making proof of one year's residence in this country, aliens showing honorable discharge and five consecutive years' service in the United States Navy or one enlistment in the United States Marine Corps, and the widow and minor children of an alien who has declared his intention to become a citizen but dies before he is actually naturalized, may become citizens without previous declaration of intention.

An alien seaman may be admitted a citizen of the United States after having served on board a merchant vessel of the United States for three years subsequent to the date of his declaration of intention. He must produce his certificate of discharge and good conduct during that time.

Alien enemies, members of the Mongolian race, e. g., Chinese, Japanese and Burmese, anarchists, polygamists, and, with certain exceptions, persons who cannot speak the English language and write their own names, cannot be naturalized.

Children under 21 years of age at the time of the naturalization of their parents, if dwelling in the United States, and such children born outside the United States, upon beginning to reside permanently here, and children born after the naturalization of their parents, are deemed citizens of the United States.

An alien woman becomes naturalized by marriage with a citizen or by the naturalization of her husband; and her naturalization in either of these ways naturalizes her minor children by a former alien husband.

For an Alien to become a Naturalized Citizen:

First. He must make a declaration of intention before the clerk (or his deputy) of a court authorized to naturalize aliens, two years at least prior to his admission, and after he has reached the age of eighteen years.* Such declaration must set forth his name, age, occupation, personal description, place of birth, last foreign residence and allegiance, date of his arrival, name of vessel in which he came here, and his present residence. (One who filed his declaration of intention before the new naturalization law went into effect, September 27, 1906, is not required to file a new declaration).

Second. Not less than two nor more than seven years after making his declaration of intention he must file in court his petition for naturalization. The petition must be signed by the applicant in his own handwriting, (unless he filed his declaration

* Note: Aliens coming to this country under the age of eighteen years are no longer, under the new law, exempt from making this declaration of intention; they must now take out both sets of papers.

NATURALIZATION.

before the passage of the new naturalization law of 1906), and in it he must state his full name, residence (by street and number, if possible), occupation, date and place of birth, place from which he emigrated, date and place of arrival in this country, name of vessel on which he arrived, time when and place and court where he declared his intention; if married the name of his wife, country of her nativity, her present residence, and the name, date, birthplace and residence of each child living.

The petition must also set forth that he is not opposed to organized government, etc., that he is not a polygamist by practice or belief, that it is his intention to become a citizen of the United States, to reside permanently therein, and to renounce all other allegiance; also whether or not he can speak the English language, (unless he filed his declaration before the passage of the new naturalization law of 1906), and whether or not he has previously been denied admission as a citizen, and if so on what grounds and in what court, and that the cause has since been removed.

The petition must be verified by the affidavits of at least two credible witnesses, citizens of the United States, stating that they have personally known the applicant to be a resident of the United States for at least five years continuously, and of the State in which the application is made for at least one year, immediately preceding the filing of the petition, and that he is of good moral character and in every way qualified to be admitted as a citizen.

With the petition he must also file his declaration of intention, and, if he arrived in this country after June 29, 1906, a certificate from the Department of Commerce and Labor, stating the date, place, and manner of his arrival here.

Third. He must satisfy the court, by his own oath and the testimony (which may be by deposition as to such portion of the five years' residence as was outside of the State), of at least two witnesses,* citizens of the United States, of his five years' continuous residence in the United States and one year's residence in the State, and of his good moral character and attachment to the principles of the United States Constitution. In practice the court requires the applicant also to show some familiarity with the history and structure of the Government.

Fourth. He must take oath in open court to support the Constitution and laws of the United States, and renounce all foreign allegiance and all titles and orders of nobility.

* These two witnesses must be those by whom the applicant proves his residence of one year or more within the State; if he proves his residence elsewhere in the United States for the remainder of the five years by the testimony of other witnesses, such other witnesses are not required to make affidavits to the petition.

Such depositions may be taken at any time before the hearing on the petition on notice to the Bureau of Immigration and Naturalization at Washington, and to the United States Attorney for the district where the witness resides, from whom printed forms for depositions may be obtained on application.

NATURALIZATION.

Petitions for naturalization may be filed at any time, but final action can be had only in open court on stated days fixed by the court. Such final action can in no case be had until at least ninety days have elapsed after filing the petition, nor within thirty days preceding a general election in the State.

If an alien so desires and the court approves he may have his name changed at the time and as a part of his naturalization.

Persons not citizens who owe permanent allegiance to the United States, and who become residents of the State, in qualifying for naturalization after two years from the dates of their declarations of intention may, for the purpose of satisfying the five years' residence clause, show their residence anywhere within the jurisdiction of the United States owing such permanent allegiance.

Fees.

For receiving and filing a declaration of intention and issuing a duplicate thereof	\$1.00
For making, filing and docketing the petition of an alien for admission as a citizen of the United States and for the final hearing thereon	\$2.00*
For entering the final order and the issuance of the certificate of citizenship	\$2.00*

If the petitioner desires to compel the attendance of any witnesses he must, in addition to the above fees, pay to the clerk of the court such sums as may be necessary to cover the expenses of subpoenaing them and paying their legal fees.

Political committees and persons required to file statements of political expenses are prohibited in Massachusetts from paying money to or in behalf of any person for naturalization fees or for services in obtaining naturalization.

Blank forms to be filled in with the facts necessary to make out the declaration of intention or the petition for naturalization are furnished on application to the clerks of courts. The applicant for a declaration of intention having properly filled in such a form presents it to the clerk of the court, who draws up the declaration therefrom in triplicate and has the applicant sign and swear to it, and one copy is given to the applicant. When he applies for his final papers, he fills in a similar form, from which the clerk of the court prepares the petition for naturalization; on this occasion the applicant takes with him his copy of his declaration, and his two witnesses, who with him put their names upon and swear to the petition.

*In practice both these fees are collected at the time of the filing of the petition.

DATES FOR NATURALIZATION.

Mondays are the days fixed for hearings in the United States Court.

In the State courts the days fixed for hearings in the different counties are as follows:

HAMPDEN.—Springfield, September, 2d Monday; February and June, 3d Monday. Holyoke, usually on the days following the above.

HAMPSHIRE.—Northampton, December, 3d Monday; June, 1st Monday. Ware, usually on the days following the above.

FRANKLIN.—Greenfield, March, 3d Monday.

BERKSHIRE.—Pittsfield, January and July, 2d Monday. North Adams, usually on the days following the above.

NORFOLK.—Dedham, September and April, 1st Tuesday after 1st Monday in each month.

BARNSTABLE.—Barnstable, April, 2d Monday.

DUKES COUNTY.—Edgartown, September and April, last Tuesday.

NANTUCKET.—Nantucket, July, 1st Tuesday.

ESSEX.—Salem, January and July, 2d Monday; Lawrence, September, 2d Monday; March, 1st Monday. Newburyport, April 2d Monday.

BRISTOL.—Taunton, February, 1st Monday. Fall River, September, 3d Monday; March, 4th Monday. New Bedford, December and June, 1st Monday.

MIDDLESEX.—Lowell, September and June, 1st Monday.

PLYMOUTH.—Plymouth, June, 1st Monday. Brockton, May, 1st Monday.

WORCESTER.—Worcester, April and November, 2d Monday. Fitchburg, June and November, 3d Monday.

The Suffolk Superior Court and the Supreme Judicial Court do not receive petitions for naturalization.

In 1913.

July 1.—Last day for filing petitions on which hearings can be had in the United States District Court before the general State election in November.

Sept. 29.—Last day for hearings in the United States District Court before the general State election in November.

Oct. 4.—Last day that can be fixed by any court for hearings before the general State election in November.

POLITICAL CALENDAR

Relating to the
STATE ELECTION

1913

REGISTRATION OF VOTERS.

In Boston. Central Office, 100 Summer Street.

Every day except Saturday, 9 A. M. to 5 P. M. Saturdays 9 A. M. to 12 M.

No registration Sundays or holidays.

In Other Cities and Towns.

"Registrars shall hold such sessions as the town by by-law or the . . . city by ordinance shall prescribe."

"On or before the Saturday last preceding a primary."

Oct. 15.—"In every city registrars shall hold a continuous session from 12 noon till 10 o'clock . . . when registration shall cease."

Oct. 25.—"in every town a like continuous session shall be held, 12 M. to 10 P. M.; also "On the Saturday last but one preceding the annual town meeting."

ELECTION OFFICERS.

Aug. 15.—Last day for appointing election officers in towns divided into voting precincts.

Aug. 31.—Last day for filing nomination of election officers in every city.

PRIMARIES.

Sept. 23.—State primaries.

STATE CONVENTION.

Sept. 30.—Earliest day for holding the State Convention.

Oct. 4.—Republican State Convention, Tremont Temple, 10.00 A. M.

Oct. 6.—Progressive State Convention.

Oct. 7.—Latest day for holding the State Convention.

Certificates of Nomination and Nomination Papers.

Oct. 6.—Certificates of Nomination for offices to be filled by all of the voters of the Commonwealth must be filed.

Oct. 13.—Nomination Papers for the same must be filed.

Oct. 16.—Certificates of Nomination for all other offices to be filled at a State election must be filed.

Oct. 16.—Nomination Papers for the same must be filed.

All of these papers must be filed with the Secretary of the Commonwealth before 5 P. M. on the dates specified.*

*Objections to or withdrawals from nominations must be made within the seventy-two week-day hours succeeding 5 o'clock of the last day fixed for the filing of nomination papers for such offices.

POLITICAL CALENDAR.

MISCELLANEOUS.

Sept. 3.—Last day for posting copies of the voting lists in every place except Boston.

Oct. 11.—Last day for posting copies of voting lists in Boston.

Oct. 15.—Last day for designation of polling places in cities and towns divided into voting precincts.

Oct. 14.—Last day for petitioning for appointment of supervisors of election.

Oct. 21.—Last day in cities for filing complaints against incorrect and illegal registration.

Oct. 31.—Last day in towns for filing such complaints.

Nov. 4.—**STATE ELECTION.** (Tuesday next after the first Monday in November.)

POLITICAL CALENDAR, CITY ELECTION.

City election in following cities December 2.

In Brockton, Fall River, Fitchburg, Gloucester, Haverhill, Holyoke, Marlborough, New Bedford, Northampton, Pittsfield, Quincy, Springfield, Taunton, and Waltham.

Nov. 12.—Last day before City election for registration. On this day Registrars must hold a continuous session from 12 M. to 10 P. M., when registration must cease.

Nov. 17.—Certificates of nomination must be filed with City Clerk before 5 P. M.*†

Nov. 19.—Nomination papers must be filed with the City Clerk before 5 P. M.†

City election in following cities December 9.

In Beverly, Chelsea, Chicopee, Everett, Lowell, Lawrence, Lynn, Malden, Medford, Melrose, Newburyport, Newton, Salem, Somerville, Woburn and Worcester.

Nov. 19.—Last day before City election for registration. On this day Registrars must hold a continuous session from 12 M. to 10 P. M., when registration must cease.†

Nov. 24.—Certificate of nomination must be filed with the City Clerk before 5 P. M.*†

Nov. 26.—Nomination papers must be filed with the City Clerk before 5 P. M.

City election in North Adams December 16.

City election in Boston January 13, 1914.

City election in Cambridge March 10, 1914.

*Objections to or withdrawals from nominations must be made within the forty-eight week-day hours succeeding 5 o'clock in the afternoon of the last day fixed for the filing of nomination papers for such offices.

†Except where city charter provides otherwise.

§See acts 1912, ch. 107.

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ADDENDA.

Voting Machine.

Section 251. The mayor and aldermen of a city, or the body corresponding thereto, or a town, may, at a meeting held at least thirty days before the primary or election at which the voting machines are to be used, determine upon and purchase one or more voting machines approved as provided in section two hundred and forty-nine, and order the use thereof at primaries and elections of state, city or town officers in such city or town; and thereafter at all primaries and election of state, city or town officers in such city or town, until otherwise ordered by the aldermen in a city, or the board corresponding thereto, and the selectmen in a town, said machines shall be used at primaries and for the purpose of voting for the officers to be elected at such elections and for taking the vote upon the question of granting licenses for the sale of intoxicating liquors and upon other questions submitted to the voters. In Boston, the power to determine upon, purchase and order the use of voting machines shall be vested in a board consisting of the election commissioners and the mayor; and the expense so incurred shall be deemed an expense of the election department of the city; and the machines so purchased shall be used at primaries and elections in that city until otherwise ordered by said commissioners. Machine purchased by be paid for either by appropriation, by the issue and sale of bonds, or by the issue and delivery of certificates of indebtedness or other negotiable obligations, of such amounts and payable at such times as shall be determined by the board of officers purchasing the machines.

For polling places in which voting machines are to be used no ballot boxes or ballots shall be furnished.

Officers to be Elected at the Annual State Election in 1913,
as Provided in Sections 379, 383, 385, 387.

A governor, lieutenant governor, secretary of the commonwealth, treasurer and receiver general, auditor of the commonwealth, and attorney-general; by the voters in each councillor district, one councillor; by the voters in each senatorial district, one senator; and by the voters in each representative district, such number of representatives as the district is entitled to elect.

A district attorney in each of the districts into which the commonwealth is divided, for the administration of criminal law. A register of probate and insolvency in each county.

In the county of Middlesex and of the towns of Revere and Winthrop, one county commissioner for said county and towns, and by the voters of each of the other counties, except the counties of Suffolk and Nantucket, one county commissioner for the county.

In the county of Middlesex and of the towns of Revere and Winthrop, two associate commissioners for said county and towns, and by the voters of each of the other counties, except the counties of Suffolk and Nantucket two associate commissioners for the county.

Not more than one of the county commissioners and associate commissioners shall be chosen from the same city or town. If two persons residing in the same city or town shall appear to have been chosen to said offices, the person only who receives the larger number of votes shall be declared elected; but if they shall receive an equal number of votes, no person shall be declared elected. If a person residing in a city or town in which a county commissioner or an associate commissioner who is to remain in office also resides, shall appear to have been chosen, he shall not be declared elected. If the person is not declared elected by reason of the above provisions, the person receiving the next highest

number of votes for the office, and who resides in another city or town, shall be declared elected.

Section 391. District attorneys, county commissioners, associate commissioners and county treasurers shall hold their several offices for terms of three years, and sheriffs, registers of deeds, clerks of the courts and registers of probate and insolvency for terms of five years, beginning with the first Wednesday of January in the year succeeding their respective elections and until their successors are chosen and qualified.

Section 392. District attorneys, registers of deeds and county treasurers shall be residents of the counties or districts for which they are chosen.

L A W S

OF THE

Commonwealth of Massachusetts

Relating to

QUALIFICATION AND REGISTRATION
OF VOTERS.

POLITICAL COMMITTEES.
PRIMARIES AND CAUCUSES.
CONVENTIONS AND THE
NOMINATION OF CANDIDATES.

WITH AN APPENDIX

Containing Information Relative to
ELECTION DISTRICTS, NATURALIZATION, ETC.

1913

Compiled by

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